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ABSTRACT

On October 14, 1974, the Kanawha County Association of Classroom Teachers requested that the Teacher Rights Division of the National Education Association (NEA) conduct an investigation into the textbook controversy. This report contains information on the background, evolution, educational consequences, and dynamics of the conflict, and the results of the NEA investigation. Among the NEA conclusions are the following: (1) it is the basic principle of our Constitution that no group has the right to impose its religious value system upon the public schools; (2) education's fundamental purpose is to prepare students for good citizenship and for full, constructive lives by instilling in them the ability to think critically, reason, analyze and relate data, and to see behind deceptive facades; (3) an essential task of public education is to treat students honestly, inform them of the history of this and other nations, and provide them with a vast diversity of literature so that they may understand and appreciate the many cultures, races, and ethnic groups that comprise our society; (4) teachers and students must be free to discuss controversial issues so that students may acquire the skills needed for intelligent analysis of issues; and (5) the West Virginia laws governing textbook selection place the responsibility for textbook selection where it belongs -- with the final decision-making authority vested in the elected board of educators, although it is recommended that parents should be involved as advisors, but not as censors. (ND)

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INQUIRY REPORT

# KANAWHA COUNTY

# WEST VIRGINIA

# A TEXTBOOK STUDY IN CULTURAL CONFLICT

SP008 168

National Education Association
Teacher Rights Division
Washington, D.C.

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James A. Harris, President
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NATIONAL EDUCATION ASSOCIATION

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# WEST VIRGINIA

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FEBRUARY 1975

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## INQUIRY PANEL

## KANAWHA COUNTY, WEST VIRGINIA

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| Dr. Todd Clark | National Education Director<br>Law, Education and Participation<br>The Constitutional Rights Foundation<br>Los Angeles, California<br>Representing: National Council for Social Studies |
| Ms. Judith Krug | Director, Office for Intellectual Freedom<br>American Library Association<br>Chicago, Illinois<br>Representing: American Library Association |
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# I. INTRODUCTION

## Outbreak of the Conflict

> The County board of education shall, upon recommendation of the county superintendent with the aid of a committee of teachers not to exceed five members . . . have the option to select from the state multiple list one or more book(s) or series of books for each subject and grade to be used as exclusive basal textbooks in the county for a period of five years.*
>
> Sec. 18-2A-5 West Virginia
> Textbook Adoption Law

> Whereas, the West Virginia Board of Education recognizes the pluralistic nature of American society and
>
> Whereas, minority and ethnic group contributions are an inextricable part of the total growth and development of this nation, and
>
> Whereas, much of the instructional program is based on or derived from factual and conceptual material contained in textbooks and other printed materials, therefore
>
> BE IT RESOLVED THAT: both state and local textbook committees and individual educators charged with responsibility for the selection of textbooks and other printed materials to be used in school programs K-12 shall select only those textbooks and materials for classroom use which accurately portray minority and ethnic group contributions to American growth and culture and which depict and illustrate the inter-cultural character of our pluralistic society.
>
> Resolution adopted December 11, 1970,
> West Virginia Board of Education

On April 11, 1974, the Board of Education of Kanawha County, West Virginia, in compliance with state law and State Board of Education policy, voted unanimously to adopt 325 text and supplementary books recommended for purchase by the

*This statutory provision applies only to elementary textbook selections. The adoption of texts at the secondary level is a matter of local school board determination.

various groups involved in it—parents, students, educators, and school boards—to determine the content of educational programming.

**Request for Investigation**

On October 14, 1974, the Kanawha County Association of Classroom Teachers (KCACT) voted to request that the Teacher Rights Division of the National Education Association (NEA) "conduct an exhaustive investigation into all facets of the textbook controversy." The request was contained in a lengthy resolution, which included the following statements:

> . . .The scope of the textbook controversy now reaches far beyond the boundaries of Kanawha County and the State of West Virginia and has sparked debate, dissension and public distrust of professional educators in many school districts throughout the nation. . .
>
> . . .Those who have voiced bitter opposition to the adoption of texts which help teach students to think objectively about *real American* problems such as prejudice, bigotry, intolerance, and social injustice, have gained support from organizations of nation-wide proportions and broad financial base. . . (emphasis in original)

The investigation request was delivered personally to the NEA Teacher Rights Division on October 17, 1974, by the President of the KCACT. Within the week, a decision was made to respond positively to the request; and on October 26, Lauri Wynn, the Chairperson of the Association's Ethics Committee traveled to Charleston to represent the NEA at a parade and rally, organized to commemorate American Education Week and to show educator and lay citizen support of academic freedom. At the rally, Ms. Wynn announced the fact of the investigation request and stated:

> The response of the NEA. . .is an unqualified *yes*. NEA's position on selection of instructional materials, on First Amendment rights, and on academic freedom is well-known and clearly articulated in resolutions and policy statements of its governing bodies.* Consistent with those policies, the NEA is now ready to respond positively and promptly to the request of the KCACT.

*See Appendix A.

## Selection of Inquiry Panel

The NEA, as an organization of educators, is directly and vitally concerned with the issues of the Kanawha County textbook controversy; other national organizations, in serving their members' interest and beliefs, are equally concerned. In recognition of this and in order to bring the experience and knowledge that other such organizations could provide, the NEA invited the American Library Association, the National Council of Churches, the National Council for the Social Studies, and the Association for Supervision and Curriculum Development to nominate individuals to serve on the Inquiry Panel. Each of these organizations accepted the NEA invitation. Of the remaining four members of the Panel, three were classroom teachers; and the fourth member, the Chairman of the Department of Sociology and Anthropology, Marshall University, Huntington, West Virginia, was invited to participate because of his long experience with and understanding of the culture and religious traditions of the area under study. All members of the Panel volunteered their time to take part in this inquiry and were reimbursed only for expenses incurred. A listing of the Panelists and NEA staff assistants appears at the beginning of this report.

## Inquiry Procedures and Design

The major on-site phase of this inquiry was conducted in the form of open hearings which were held in Charleston, West Virginia, from December 9 through 11, 1974. The decision to initiate the inquiry on an open hearing basis grew out of the conviction that the issues of the Kanawha County conflict are matters of legitimate and pressing public concern. The hearings were designed to provide an open forum for discussion of these issues by all involved parties, as well as to obtain the views of those who have attempted to mediate, or have been informed observers of, the controversy.

Most of the individuals who met with the NEA Panel did so in response to personal or telephone invitation, confirmed by letter. Within the limits of time available, the Panel made every effort

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school superintendent and English Language Arts Textbook Selection Committee. The motion to adopt was qualified by a provision that final decision to purchase should be contingent upon more thorough Board review of the books.

The following month—on May 16—the Textbook Selection Committee was asked to appear at a special meeting of the Board in order to explain the English language arts program and how the recommended books would help advance the program objectives. That committee's explanations, however, were cut short by one member of the Board who challenged both the stated philosophy of the English language arts program and the content of some of the books. This meeting closed with no action taken, but with the understanding that the adopted materials would not be purchased until the Board had reached some consensus on the questions that had been raised.

Thus, unheralded, began the battle of the books in Kanawha County, West Virginia—a battle that would bring prolonged civil strife and uncivil conduct, pitting neighbor against neighbor, church against church, the school system against segments of the community; provoking discord among the teachers themselves, and doing violence to the education of students. The books that the Kanawha County Board of Education adopted in April and voted to purchase in June—amidst angry debate—have been characterized by their critics as being anti-Christian, anti-American, anti-authority, depressing, and negative. These same books have been praised by their defenders for portraying realistically the diverse cultures, races, lifestyles, and philosophies in our society, for providing a coherent balance of language, literature, and composition, and for their effectiveness in promoting among students a spirit of inquiry and analytical thought.

As this report is written, the battle in Kanawha County is not ended. Its outcome is a matter of far-reaching consequence. For, although the controversy in Kanawha County has been widely referred to as "the textbook controversy," the issues at the heart of that local dispute have to do with the basic nature, purpose, and changing methods of public education, and the rights of the

to honor all additional requests to appear that were received during the course of the hearings.*

Shortly before the hearing date, four of the five members of the Kanawha County Board of Education publicly announced their unwillingness to meet with the NEA Panel. Three of these Board members expressed concern that the hearings—because of their timing so soon after a prolonged period of violence—might serve to refuel the controversy. A fourth member, refusing to appear, questioned the right of the NEA "to come into Kanawha County to judge the mentality and intelligence of Kanawha County parents, especially with regard to moral and spiritual values."[1]

The State Superintendent of Education, who also questioned the timing of the inquiry, declined to meet with the panel, but instead sent a written statement, responding to the questions contained in the statement of purpose for the inquiry.

From the inception of this project to its conclusion, the NEA Panel and staff assistants have been appreciative of the excellent cooperation accorded them by the Board of Education President, the school superintendent and members of his staff, teachers and students, and by representatives of the various churches and community and professional organizations, who contributed invaluably to the Panel's understanding of the problems at issue.

**Purpose and Scope of Inquiry**

There has been no attempt on the part of the NEA Panel to evaluate the text and supplementary books that are in dispute in Kanawha County. Nor has there been any naive assumption—either by the NEA or the Panelists—that such an outside group could presume to mediate or resolve the problems that have so bitterly divided this troubled community. But, as stated in the inquiry request, these are not merely local problems. Since the outbreak of protest in Kanawha County, there have been similar—although far less explosive—challenges of public school instructional materials in other areas of the nation.

*See Appendix B for listing of individuals interviewed, and agencies and organizations represented at the hearings.

Several national organizations that occupy the extreme right of the political spectrum have taken a keen interest in the Kanawha County situation and have lent counsel and material assistance to the local book protest movement. There is strong evidence that these outside groups have fanned the flames of controversy in Kanawha County (as they have done and are doing in other school systems) to the detriment of all parties involved in that controversy, but most particularly to the detriment of the students.

Nevertheless, there can be no doubt that parents in Kanawha County—those who oppose and those who defend the books—have sincere and urgent concerns about the kind of education their children are receiving. It is the responsibility of this, like all other school systems, to be responsive to those concerns, but in ways that will not jeopardize the education of students or violate the rights of any parties to the educational process.

The questions, then, that the NEA Panel was asked to explore as it conducted the Kanawha County hearings were as follows:

—What are the rights of parental and community involvement in the selection of public school curricular and supplementary materials? What are the obligations of public school professionals and boards of education to provide for such involvement and, at the same time, maintain responsible control of the schools?

—Where is the line drawn between legitimate public concern for and criticism of public school curricula and criticism that is illegitimate and educationally destructive?

It is not the purpose of this report to accuse, to find fault, or in any way to judge the citizens of Kanawha County or their moral values. The purpose is, rather, to analyze the differences that have divided them and to suggest alternative courses of action—and the probable consequences of each alternative—that

might be considered by the citizens themselves (including the citizens who govern, are employed by, and attend the public school system) in the effort to reach some eventual settlement of those differences.

It is further hoped that this accounting of the Kanawha County conflict may help to alert school boards and educators in other parts of the nation to the kinds of steps that should and should not be taken in selecting instructional materials and handling citizen complaints in order to avoid the educationally shattering experience of Kanawha County.

## II. BACKGROUND

### The Public Schools

The Kanawha County School System has a student population of approximately 46,000, giving it the largest enrollment of any school district in the state. The system employs a total instructional staff of 2500, 2200 of whom are classroom teachers. The system contains 89 elementary, 33 junior and senior high schools, and two vocational high schools, spread over a land area of 907 square miles. School district governance is vested in a board of education whose five members are elected at large—although no more than two may be elected from any one magisterial district—to six-year staggered terms of office. Board member elections are held at the primary election in May; the winning candidates do not take office until the following January. Election to board office is based on the plurality system; the candidates who receive the largest number of votes are the winners, even though they may have received no more than 10 to 12 percent of the total vote.

### The Divided Community

> The West Virginia State law, which organizes the counties of the state as school districts, creates a special problem for Kanawha County. Coupled with the power and influence of a city, which is the state capital, are the rural areas of the county which we often identify as hollows. For many of the people who live outside the city limits, there is a sense of powerlessness born of the absence of an adequate voice to influence the decision-making process. It is more than an economic or cultural gap. It is a feeling of being voiceless and powerless. For some, the textbooks became a trumpet for voiceless people, and the protest became an instrument in the hands of powerless people.
>
> Statement to NEA Panel by
> Bishop D. Frederick Wertz, The
> United Methodist Church, Charleston

The entire county of Kanawha is designated by the U.S. Bureau of the Census as a Standard Metropolitan Statistical Area, with Charleston as its urban center. But the Appalachian hills and

hollows of the county—with their small country towns and general stores, subsistence hillside farms, sectarian churches, coal camps, and winding bumpy roads—are as far different in terrain and cultural character from a standard metropolitan area as Appalachia itself is different from the Eastern Seaboard.

It has been the people in these rural areas of the county, led by fundamentalist ministers, who have given the anti-book movement its greatest fervor and commitment and who have been the most devoted followers of the Board of Education member who first challenged the language and philosophy of the books.

And, it has been the clash of long conflicting cultural and religious values, primarily between urban and rural Kanawha County, that has sparked the textbook controversy and given it the character of a religious war—a war, as one journalist described it, "between people who depend on books and people who depend on the Book."[2] The lines, of course, cannot be clearly drawn between the urban and the rural citizens. There are citizens of Charleston, retaining the values of their mountain heritage, who oppose the books; and there are rural residents who support them.

The critical problem that the textbook dispute has surfaced, however, is this: The Kanawha County Public School System has the responsibility for providing a "quality" education to students who come from two culturally polarized communities—communities that may be only miles apart in distance, but which are light-years apart in values, beliefs, and in what they consider to be a "quality" education.

**The Mountain Heritage**

In order to understand the many-layered complexities underlying the textbook issue in Kanawha County, it is necessary to understand something of the traditions and beliefs of the people who live in its rural mountains and valleys.

They, like the people of other Southern Mountain regions, have been the subject of exhaustive sociological research. They

have been the object of derogatory and tasteless humor, and they have been the victims of exploitation.

Their powerlessness is a fact of history—a consequence, in part, of the mountain fastness of the Appalachian region itself and in part a legacy from their ancestors, the region's earliest settlers. Primarily Scotch-Irish in origin, these first Southern Highlanders came to this country during the 18th Century to escape what they considered the oppressiveness and broken promises of the British Crown—only to find in the colonies along the eastern coast a society very similar to the one they had fled. Seeking freedom from the restraints of a government with which they had no sympathy, they became the frontiersmen, leading the way westward through the Cumberland Gap into Kentucky, down the New River over into the Kanawha, into West Virginia, and down the Ohio River into Ohio and Kentucky.[3]

In the narrow Appalachian valleys they found an ideal refuge—a place to be free from hostile authority. The steep mountains surrounding each small valley isolated the settlements even from each other. Their isolation, and the hardships of survival in this rugged land instilled in the settlers values that adhere today—a profound dependence upon family, an independence of spirit, a sense of fatalism in facing whatever misfortunes might come, a sense of humor making it possible to endure those misfortunes, and deep belief in a religion that promised salvation to the repentant sinner and a better life in the life hereafter.

> One has to understand the religion of the mountaineer before he can understand mountaineers. In the beginning we were Presbyterians, Episcopalians, and other formally organized denominations, but these churches required an educated clergy and centralized organization, impractical requirements in the wilderness, and so locally autonomous sects grew up. These individualistic churches stressed the fundamentals of the faith and depended on local resources and leadership.
>
> Many social reformers . . .view the local sect churches as a hindrance to social progress. What they fail to see is that it was the church which helped sustain us and made life worth living in grim situations. Religion shaped our lives, but at the same time we shaped our religion. Culture and relgion are interwined. The life on the frontier did not allow for an optimistic social gospel.

> One was lucky if he endured. Hard work did not bring a sure reward. Therefore the religion became fatalistic and stressed rewards in another life. The important thing was to get religion—get saved—which meant accepting Jesus as one's personal savior. It was and is a realistic religion which fitted a realistic people. It is based on belief in the Original Sin, that man is fallible, that he will fail, does fail. We mountaineers readily see that the human tragedy is this, that man sees so clearly what he should do and what he should not do and yet he fails so consistently . . .There is strong belief in the Golden Rule. These beliefs, and variations on them, have sustained us, have given our lives meaning and have helped us to rationalize our lack of material success. Every group of people must have meaning in their lives, must believe in themselves. Religion helps to make this belief possible. There are few Appalachian atheists . . .[4]

As the population grew and as rains eroded the hillside farms, life became more difficult, and productive soil—"new ground"—became increasingly scarce. Even scarcer was something they did not miss—education. There was, after all, no apparent need for it in the insular self-sufficiency of their lives. But, in many parts of the mountains, church groups established the first schools and staffed and supported them for years.[5]

During the late 1800's, the rapidly industrializing nation became aware of the immense natural resource storehouse of the Appalachian region; and some of the freely enterprising speculators of the time began, with absurd ease, to gain control of these resources from the uneducated, unmonied mountaineers. They purchased the land outright; they purchased vast stands of virgin timber (trees eight feet in diameter would go for a dollar apiece.[6]); and they purchased broad form mineral deeds, giving them the right to extract all minerals from the ground, to use any timber, and to construct access roads at any convenient place—in short, to do whatever was necessary to expedite removal of the desired resources.

> From the beginning, the coal and timber companies insisted on keeping all, or nearly all, the wealth they produced. They were unwilling to plow more than a tiny part of the money they earned back into schools, libraries, health facilities, and other institutions essential to a balanced, pleasant, productive, and civilized society. The knowledge and guile of their managers enabled them to corrupt and cozen all too many of the region's

elected public officials and to thwart the legitimate aspirations of the people. The greed and cunning of the coal magnates left behind an agglomeration of misery for a people who can boast few of the facilities deemed indispensable to life in more sophiscated areas, and even these few are inadequate and of inferior quality.[7]

## Today's People of Rural Kanawha County

No longer is the economy of Kanawha County so heavily dependent as it was on the boom-and-bust coal mining industry. Today, less than 25 percent of the county's rural labor force works in the mines. As the site of the state's foremost commercial and industrial center, Kanawha County offers diversified job opportunities in its vast petrochemical plants; in glass and glass-product manufacturing; in machine tool, mining equipment, wood and clay products industries, in construction; and in service occupations.

The median family income in rural Kanawha County households is $7,381, compared to $6,689 for rural areas of the entire Appalachian Region, and $6,604 for all of rural West Virginia.* This is not to say that poverty has been conquered in the hills and hollows of Kanawha County, but there is less of it here than in other rural areas of Appalachia or West Virginia.** The people of this area have more material comforts, a higher level of education, and better communications with each other and with the outside world than they have ever had before.***

*Data provided by Appalachian Educational Laboratories refers to households with children under six in rural areas of Kanawha County, the Appalachian Region, and West Virginia.

**According to data from Appalachian Educational Laboratories, 15.8% of rural Kanawha County households with children under six have incomes below the poverty level, compared to 16.6% in rural Appalachian regions, and 21.4% in rural West Virginia.

***Data from above source shows that 96.7% of rural Kanawha County families have television sets and 78.9% have telephones available. The median years of school completed are 12.3 for household heads and mothers in families with children under 6. According to the U.S. Bureau of the Census (City and County Data Book, 1972), 52.8% of the residents of Kanawha County (including the City of Charleston) 25 years old and over have completed 4 years of high school or more, and 9.9% have completed four years of college or more. In the City of Charleston alone, 60.9% of the adult residents have completed 4 years or more of high school and 15.2% have completed 4 years or more of college.

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Most of them have easy access to the political and economic center of the state. One would assume then, that the time had come for some integration—or at least for peaceful co-existence—of the urban and rural cultures of Kanawha County. The outbreak of the textbook controversy, however, gives the lie to such an assumption.

## A Holy War?

> We are very skeptical of what people want to do with us or to us, especially those that are in authority, because we've been put through the wringers of deceit by the courts, by the lawyers, by the Board of Education, and we just don't feel that we can jeopardize any more of our integrity to the likes of this. So we have decided to come together and stand together until the books are removed."
>
> —Statement to the NEA Panel by Reverend Marvin Horan, spokesman for Concerned Citizens of Kanawha County

> I am a minister of the Pentecostal Church. The standards and articles of faith of our church rest completely in our belief that the Bible is the absolute, infallible Word of God. We do not intend to compromise our beliefs, nor do we intend to agree to go to Hell, even if the majority of the people vote to do so. This is not a situation where opposing views can be reconciled. As you well know, there are some things that are somewhat like night and day, or darkness and light—they are beyond the point of reconciliation. There is no dusk or dawn or in between or neutral zone. There is a line drawn and the people stand either to the right or the left of it.
>
> . . . This is the root of the problem. There is a line—a line that broadens with every passing day. A vast vacuum has developed in our community. Perhaps it was there to begin with and it took this controversy to reveal it.
>
> —Statement to the NEA Panel by Reverend Lewis Harrah, Pastor of the Church of Jesus Christ, North Charleston

For generations, a fundamentalist religious belief was given meaning to the mountain way of life and has given the mountain

people the strength to withstand its hardships. For most, the hardships have now been considerably lightened. But the improved living standards, the vastly increased communications and transportation systems now available to these people have brought an end to the independence and seclusion of their rural communities. Their once insular world has been invaded by the pressures, the frustrations, and the moral question marks of the contemporary outside world. Daily they have been informed of the revolutionary movements of black people and other minority groups; the alienation of youth; the women's liberation movement; the anti-war movements; and the threatened moral breakdown of our nation as evidenced by the drug culture, the sexual permissiveness, and the pervasiveness of crime, not only in the streets but in the seats of government.

Thus, the religion that once served as a buffer against physical hardships and discomforts now serves, just as essentially, as a bulwark against the psychological and social stresses of integration into the larger society.

It is this unbending religion that has lent moral fervor to a protest that is only in part against the books and only in part an expression of religious indignation.

The sectarian outcry against the books, however, has drawn a concerted response from clergy affiliated with the more formally established religious denominations of the area, who have defended both the process and content of the school system's textbook selection.

On June 27, when the Kanawha County Board of Education voted to purchase the disputed materials, the board received a petition, signed by 10 ministers of different denominations, containing the following language:

> We express complete confidence in the professionalism and competence of the Selection Committee that has been charged with the responsibility of studying available material and recommending texts.
>
> Overall, though anyone could raise an objection to one or more specific points, the whole program shows a great respect for the

students of this County and their need to understand and communicate in the real world in which they live.

Any treatment, especially in the schools, of questions like war and peace, racism – black and white, religion, patriotism, etc., is bound to raise disagreements and stir emotional responses. We are convinced, however, that these matters must be discussed openly if our students are to be exposed to the great variety of issues that characterize our modern society. We know of no way to stimulate the growth of our youth if we insulate them from the real issues. We feel this program will help our students to think intelligently about their lives and our society.

* * *

We do not believe that citizens of Kanawha County are ready to settle for anything less than a complete education with the use of the most modern texts available, nor do we think the best interests of this community are being served by stirring the emotions and raising hysteria in our midst.

## III. EVOLUTION OF THE CONFLICT

> Since the early days of the Cold War, textbook crises have come in an almost unbroken stream, each controversy providing fuel for another. In most instances only the names of the towns and the censors are different. The charges are essentially the same: the texts are blamed for what a censor dislikes about the world in which he lives.[8]

> How can I teach literature if I do not teach understanding of the human condition?[9]

> . . . if one of the jobs of the English Department is to teach literature, then the concerns of man—every concern of man—is the province of literature.[10]

### The Problem. . .and the Power of Communications

A question that the NEA Panel asked of Kanawha County school personnel and other citizens, and a question that many of them still seemed to be asking of themselves, was why did it happen here? What provoked the controversy in Kanawha County in 1974—when the English Language Arts materials were adopted in much the same way that instructional materials have been adopted in previous years, and when several of the adoptions were, in fact, readoptions of materials that have been used in previous years, without objection?

One answer, on which there seemed to be general agreement, was that for a number of years the school system has failed to communicate effectively with its diverse communities—most particularly with its rural communities—and to involve them sufficiently in the development of educational objectives and programs. The selection of textbooks, traditionally, has been a routine affair, previous boards of education having accepted without challenge the recommendations of the superintendent and textbook selection committees.

In prior years, some degree of community involvement in the textbook selection process has been maintained through lay citi-

zen participation in a Curriculum Council. This council, however, was disbanded in early 1974; its members (25% of whom represented parents) were not involved with the 1974 English Language Arts adoption. The superintendent told the NEA Panel that the Council was dissolved with the intention of replacing it immediately with two Curriculum Councils—one internal, composed of educators; and the other external, composed entirely of parents. He said this was not accomplished last year, primarily because the school administrative staff wanted to first establish the internal council, but failed to get the needed number of volunteers from within the school system. Thus, the entire plan was set aside temporarily.

The chairperson of the Textbook Selection Committee for the English Language Arts materials commented to the Panel, "One of the interesting ironies about this situation is that ours is a communication-based language arts program. . .And what has happened here suggests that we have many lessons to learn about communications between parents and school."

But when the recommendations of this committee were made to the Board of Education in 1974, one member—an individual who had been elected to the Board in 1970 on an anti-sex education platform—did challenge and did communicate her concerns most effectively to all who had reason to feel resentful of, or alienated from, the public school establishment.

The English Language Arts text and supplementary book recommendations—a product of hundreds of hours of volunteer work by the five-member Textbook Selection Committee and its elementary and secondary curriculum study subcommittees—were first submitted to the Board at its regular meeting on March 12, 1974, a meeting not attended by the Board member who would later challenge the recommendations. Following the March meeting, the books were displayed in the Kanawha County Public Library for examination by the public. (At the time, few members of the community took advantage of the opportunity to review the materials.) During this period, the books were also displayed in the Board of Education offices for examination by the Board members at their convenience.

Between May 16, 1974, when the Textbook Selection Committee attempted to present to the Board of Education the rationale for its recommendations, and June 27, when the Board was to make its final decision regarding purchase of the books, the Board member who had challenged the materials launched a communications campaign that would soon involve Kanawha County parents in their public schools as they had never been involved before. She appeared frequently at meetings of church and community groups, informing them of her objections to the books, reading, and circulating printed excerpts from the materials that she deemed offensive. She taped excerpts from a "listening library cassette" for advanced secondary students, which she then played back with her own commentary to her various audiences. This presentation was taped and copies were sold for $1.50 each, the money from the sale being used to purchase additional blank tapes, according to press reports.[11]

Copies of the books were made available for examination by concerned citizens, and petitions were circulated to parents, churches, and other groups, asking that materials be prohibited in the schools which:

> Demean, encourage skepticism, or foster disbelief in the institutions of the United States of America and in Western civilization. We submit that among these institutions are the following:
>
> > The family unit emerges from the marriage of man and woman;
> >
> > Belief in a Supernatural Being, or a power beyond ourselves, or a power beyond our comprehension;
> >
> > The political system set forth in the Constitution of the United States of America;
> >
> > The economic system commonly referred to as free enterprise where the exchange of goods and services is governed by the forces of supply and demand rather than a central governmental authority;
> >
> > Respect for the laws of the Nation, the State, and its subdivisions and for the judicial system which administers those laws;
> >
> > The history and heritage of this nation as the record of one of the noblest civilizations that has existed;

> Respect for the property of others.
>
> Advocate, suggest, or imply that traditional rules governing the grammar and vocabulary of the English language are not a proper and worthwhile subject for academic pursuit and do not, in fact, constitute the means by which well-educated people communicate most effectively.
>
> Deal with religion in any manner—its beliefs, rituals, or literature. Inasmuch as it has been held unconstitutional for a tax-supported school to promote religious belief, we hold that it is equally unconstitutional to promote religious disbelief. Further, since the denial of supernatural forces is in itself a form of religion, the promotion of agnosticism or nihilism must also be unconstitutional.[12]

These petitions, bearing 12,000 signatures, were presented to the Board of Education at the stormy meeting of June 27 when the members voted 3-2 to purchase all of the disputed materials except for eight supplemental texts.

At this same meeting, two additional motions regarding textbook selection were unanimously adopted:

> That the administration develop a recommendation for the Board to consider at the July meeting to include a number of parents on future textbook selection committees.
>
> That the advisory committee be composed of 75% parents, 25% teachers who would advise the second adoption committee made up of 75% teachers and 25% parents, who would make the actual recommendation to the Board for adoption. The Board would develop guidelines and the committees would work within these guidelines and the recommendations of the committee would be in the Board office thirty days before the recommended books will go on display in the public library.[13]

Before the June 27 Board meeting, there had been public condemnation of the books by 27 ministers; and the Executive Board of Kanawha County Council of Parents and Teachers had expressed opposition to the several volumes that its members had read. There had also been public endorsement of the books by the West Virginia Human Relations Commission, the Vice-President of the Charleston Branch of the NAACP, and by ten clergy.

Following the June 27 vote, various anti-textbook groups were formed; a minister leader of the protest announced plans for establishment of a private church school; and excerpted "objectionable" materials fromshe books were widely circulated. During the months of controversy, school personnel stated, out-of-context passages from secondary level materials have been represented as passages from elementary books; other materials—for example, sex education information from a junior high school library and excerpts from a copy of Kate Millett's *Sexual Politics* taken from a teacher's desk—have been portrayed as excerpts from the textbook adoptions.

**Escalation of Protest**

It was not until school opened on September 3 that the full intensity of the protest became evident. During the first two weeks of September, the schools were boycotted and picketed. Picket lines went up around businesses, industrial plants, and coal mines in the Upper Kanawha Valley. On September 4, an estimated 3,500 miners walked off the job on a wildcat strike, ostensibly in sympathy with the protesters. Local efforts to obtain assistance from the state police were unsuccessful. On September 7, a citizens group—the Kanawha Coalition for Quality Education—formed in support of the books. On September 10, the protesters shut down the city bus system; and on September 11, the Board voted to remove the disputed books from the school system pending their examination by a Citizens Review Committee, to be composed of 18 members—three members appointed by each of the five Board members and three appointed by the Board-member elect, who would also chair the Review Committee.

This compromise on the part of the Board was at first accepted and then rejected by the protesters. The Board's move also prompted protests from the Kanawha County Education Association, the Schoolmaster's Club, and the Kanawha County Association of Classroom Teachers, who urged that teacher members be placed on the Review Committee and questioned the Board's right to remove the legally adopted books.

During the following weeks, public education in Kanawha County was halted by the politics of violent confrontation. There were exchanges of gunfire. School buses were shot at, cars and homes firebombed, anti-book picketers arrested and released. Schools were vandalized and dynamited. Between September 12 and 16, the Kanawha County Schools were closed and all extracurricular activities cancelled. At book protest rallies, dissension became evident among the ministers leading the anti-book movement, some of them urging continuance of the school boycott and others favoring a return to school and work. Demands were made for resignation of the superintendent and the three board members who had voted for adoption of the books.

**Appointments, Resignations, and Recommendations**

All members of the Textbook Review Committee were appointed on September 24. But, on October 9, six members and one alternate—all of anti-book persuasion—withdrew from the committee and proceeded to conduct their own textbook review, the product of which was to be a 500-page document recommending removal of 184 of the 254 titles they had been assigned to review.

On October 9, the President of the Board of Education, whose term would have expired on December 31, announced his early resignation. His resignation statement included the following comments:

> . . . The other board members will remember that I opposed the action on September 12 to remove these books from the classrooms. I do not mean to criticize my associates for their action at that time. We were faced with a situation verging on anarchy. The complete removal from the classroom of what I believed to be good books was more than I could accept. I further believed that to capitulate to mob rule would only encourage such action in the future. I still believe that these are good textbooks. They are not anti-Christian and anti-American as many people would have you believe. In fact, our children have learned more about un-American and un-Christian behavior in the past few weeks from some of the adult population than the schools could teach in 12 years. I personally believe that the books which were adopted should be restored to the classrooms as soon as possible and this

> dispute settled the American way—in the courts and the political arena rather than on the streets with mob rule and terrorism.
>
> In addition to cooling the controversy, my resignation from the board should also remove the question that a long-term resolution of this problem will have to wait upon the seating of the new board member elect . . .on January 1. By my resignation, and as far as this controversy is concerned, January 1 is now. I am presuming, of course, that the board will appoint [the board member-elect] to the interim vacancy. I agree that it would not be proper for me by my vote to approve an action in a matter so sensitive and important as this which might be changed January 1 . . . .
>
> I agree with many comments and editorials that the election laws with reference to school board members should be revised, and I believe the current situation further supports that need. I believe new board members should be seated as soon as possible after their election.[14]

The Board-member elect, resigning his chairmanship of the Textbook Review Committee, was appointed to the Board, effective immediately; and on the following day, October 11, the superintendent of schools announced that he was looking for another job.

During this period, as protest rallies, boycotts, and sporadic violence continued, the Kanawha Coalition for Quality Education attempted to counter the impact of the anti-book movement by holding meetings with citizens, discussing the textbook adoption and responding to criticism and questions concerning the books.

The report of the Textbook Review Committee's majority members, completed on October 15, recommended return to the school system of all basal texts and all of the supplemental texts that they had reviewed,* with the provision that no student would be required to use any book containing material offensive to the religious beliefs of the student or his or her parents. The Committee majority further recommended that the return of other unreviewed supplementary materials be delayed pending thorough review "without the pressure of a Board-imposed time limit."

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*The officially recognized Majority Textbook Review Committee contained members who voted, as a minority, against retention of some of the books.

**Board Decisions**

The Board, on November 8, 1974, voted 4-1 to return all of the books to the schools with the following exceptions: (1) the D.C. Heath *Communicating* series, textbooks for grades 1-6, would be removed from the classroom and placed in the school libraries for use as supplementary reading; a form furnished by the school system would "give parental authority on who is to use or not use" the supplemental books; and an additional series of books would be adopted from the state multiple listing for use by children whose parents did not want them to use the D.C. Heath texts as a supplement to the basal elementary textbooks. (2) The level four *Interaction* series (Houghton-Mifflin) including the teacher's manual, would be placed in the library and no additional books in this series would be purchased.

On a 4-1 vote, the Board further adopted two additional motions:

> That no student be required to use a book that is objectionable to that student's parents on either moral or religious grounds. The parents of each student shall have the opportunity to present a written signed statement to the principal of the school, listing the books that are objectionable for that parent's child.
>
> That no teacher is authorized to indoctrinate a student to follow either moral values or religious beliefs which are objectionable to either the student or the student's parents.[15]

These decisions, although accepted by the teachers, and hailed by the press and most pro-textbook groups as a reasonable and responsible compromise, did not halt the protest. Anti-book rallies and marches continued; school buses were hit by gunshot blasts; a car owned by parents who continued to send their children to school was firebombed, the driver escaping injury only by leaping from the car; and protesters continued the pressure of phone threats to intimidate other parents to keep their children home from school.

On November 16, while attending a meeting with protest leaders that had been called by a Methodist Bishop who has acted as mediator to the conflict, the superintendent and three Board

members were served with arrest warrants. The warrants, filed by the Upper Kanawha Valley Mayors' Association, charged the school officials (including the other Board member, then out of town) with contributing to the delinquency of minors by permitting use of un-American and un-Christian textbooks. The men were released on bond after brief court appearances.

**Guidelines and Procedures for Future Textbook Adoptions**

By their action on November 21, 1974, the members of the Kanawha County Board of Education moved from a position of conciliation to one of near capitulation to the anti-textbook forces. On that date, the Board of Education adopted a set of guidelines for future textbook adoptions (pp. 33-35) that, if given the interpretation obviously meant by their proponent—the anti-book Board member—would not only bar the disputed books from Kanawha County classrooms, but would proscribe the use of any language arts books, including the *McGuffey's Readers*, and would permit very little learning.

At meetings in December 1974, the Board of Education reached tentative agreement on a set of policies (pp. 35, 36) under which a proliferation of committees would be established, involving parents—not only as advisors, but as censors—in the processes of textbook selection and adoption for the Kanawha County Public Schools. At the time of the NEA hearings in Charleston, Board members were announcing their appointments of lay citizens who would comprise 75% majorities on screening committees to review instructional materials to be selected in four subject areas—Social Studies, Music, Business Education, and Home Economics—and to set aside any materials that, in their judgment, failed to meet satisfactorily the Board of Education guidelines for textbook adoption.

On December 12, 1974, the Kanawha Coalition for Quality Education issued a public statement urging the Board of Education to rescind the new guidelines and procedures for textbook adoption. But on that same day, the Board moved to refine and approve the new policies. Even this action failed to bring

immediate peace to Kanawha County. The meeting of December 12 was heavily attended by citizens against the books, some of whom carried placards announcing "We are KKK members." Following the business portion of the meeting, the superintendent, the assistant superintendent, and two Board members were physically attacked by protesters. The newest member of the Board, according to press reports, was hit repeatedly and denounced by some protesters as "nigger lover, Jew lover and Hitler lover."[16] The superintendent, in attempting to defend the Board member, was also assaulted and sprayed with Mace by a female member of the audience.

**Peace—At What Price?**

As this report is being written, an uneasy peace appears to have settled over Kanawha County.* The Board member whose objections to the books first sparked the conflict has counseled her followers to "concentrate on what they have accomplished, rather than dwell on new English and language arts textbooks."

> My main goal and objection (sic), she said, is not removing these particular textbooks. Far more important is to adopt guidelines that will change the type of material.
>
> I'm not happy about the textbooks, but I still think they can be handled through the courts.[17]

A proposal developed by the West Virginia State Board of Education, for submission to the 1975 legislature, now in session, may give the protesters additional reason to look with satisfaction

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*In reaction to the violence of December 12, the West Virginia Civil Liberties Union has asked the U.S. Justice Department to intercede in the Kanawha County textbook controversy, "to determine [the] extent to which a conspiracy exists on the part of anti-textbook protesters. . .designed to deprive teachers, parents, students, and board of education members of their civil rights under the Constitution and federal laws." (*The Charleston Gazette*, "Text Fight Probe Asked of FBI," December 14, 1974). According to another press account, the President of the WVCLU expressed the view that the anti-book Board member might be liable to a charge of inciting violence because of a statement she had allegedly made calling for harassment of Board members. Defending herself against the charge, she stated: "I said the Board as a body could be legitimately harassed. Legitimate means through lawsuits and parents exercising their rights under the new policies. I did not say anything about individuals." (Schiavoni, Yvonne, "Protest Leaders Offer No Clues to Attackers," *Charleston Daily Mail*, December 14, 1974).

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"on what they have accomplished." This proposal, if adopted, would amend the state school code to require that lay persons be included on both state and county textbook selection committees and would extend state controls over textbook selection to cover secondary, as well as elementary, adoptions.

## IV. EDUCATIONAL CONSEQUENCES OF THE CONFLICT

> Since the advent of this controversy, the English teachers and the subjects they teach have received the brunt of much of the ridicule stemming from the adoption of the English Language Arts texts. We have been called Communists, nigger lovers, professional elitists, and pseudo-intellectuals.
>
> Many opponents have said that the subject matter of today's English texts in the classes is more for a social studies class than an English class. The English teachers, both elementary and secondary, have become frustrated as to what materials to use in their classroom.
>
> Many feel threatened and have been threatened in the outlying areas of the county. Many feel they are going to be attacked if they say the "wrong thing" in the classroom.
>
> Statement to NEA Panel by Richard Clendenin, President Kanawha County Association of Teachers of English

The atmosphere of terrorism that has surrounded public education in Kanawha County has, of course, had its most profound effect on the people most directly involved in the educational process—the students, the teachers, and the administrators.

In those areas of the county where the protest movement has been most extreme, the processes of teaching and learning were literally halted for most of the first three months of school. The President of the KCACT, a high school teacher in one of those areas, told the Panel that there had been no more than two weeks out of the first twelve weeks of school that even half of the students in his school had been present. The students and educators who persisted in school attendance during those tumultous weeks did so in the face of great personal risk and continuous harassment from protesters.

### A Climate of Fear

At the time of the NEA hearings, school attendance was near normal but, testimony indicated, the climate of fear within the

schools still remained. The President of the Kanawha County Schoolmaster's Club stated:

> The current climate for the professional approach to the task of education is poor. Teachers are afraid to use materials. They will not serve on textbook committees. They distrust the Central Office staff, the Board of Education, and the community. They are afraid for their safety, peace of mind, and even their jobs. Effective education is at a minimum in Kanawha County. We are holding school, but it is with a waiting attitude.

Several high school students, meeting with the NEA Panel, expressed their views concerning the consequences of the textbook controversy in the classrooms of the county:

> A school is supposed to be a place of learning and knowledge whether a student just wishes to learn the three R's or wants a broad, questioning education. The community is charged with providing the student with an atmosphere conducive to learning. This has not been the case; schools have been bombed; teachers and students and parents have been threatened. Buses have not been allowed to run. It is not important which side has been doing these things. What is important is that the students of this community have been used as innocent pawns in a struggle by individuals and groups for power.
>
> There is a lot of stress in the classrooms. Teachers can't speak out. Students feel like they are really being cheated out of an education.
>
> * * *
>
> If there is one positive thing to come out of this controversy, it should be that parents have a greater advisory role.
>
> * * *
>
> Up until a few years ago we had parental input. I think there should be more parental input on textbook advisory committees.
>
> * * *
>
> In our school we've been thinking up things to do for the Christmas program. But we've been afraid to do anything because we are going to get so much feedback. We're scared to do *Pinocchio* . . .
>
> * * *

> I read all about the wars over religion – the hatred, bloodshed, violence – but they did not come home to me until this controversy.
>
> * * *
>
> In my school we are two armed camps – the teachers against the community. Teachers are afraid to teach.

These students were all defenders of the disputed books, but many students – particularly in the hills and hollows of Kanawha County – mirror the views of their protesting parents. Thus, the teachers are faced with the fact that their every word, their every action in the classroom, is being scrutinized by potential informers. The trust relationship between student and teacher – so vital to a productive classroom experience – has been replaced by an atmosphere of apprehension and doubt.

Among the targets of parental objection has been the textbooks' use of open-ended questions to encourage independent thought and analysis on the part of students. Parents have complained that questions concerning the students' feelings, their experiences, and their home life constitute an invasion of privacy. They have contended, also, that students should not be asked what they think or how they should behave; they should be told what to think and how to behave. In reaction to these complaints, the Panel was told, the time-worn exercise of *Show and Tell* has some teachers worried that they may be accused of probing into a child's psyche.

A press interview with a principal in the upper Kanawha Valley reveals the tragicomic aspects of a situation that is, in fact, an educational tragedy. The principal, who has decided that the pressures are too much to endure any longer and will resign, told the reporter–

> A teacher came to me the other day and asked, "What do you think? Can we defend teaching this in class?" She was talking about a unit in biology on the sexual reproduction of mollusks.[18]

No teachers have given so much of their time and effort to the English Language Arts program–or have been so severely disillusioned–as the members of the Textbook Selection Committee.

For their labors, they were rewarded with a promise, offered by the Board member who first challenged their selections, that as long as she remained on the Board of Education, no member of that committee would ever serve on another faculty committee in Kanawha County. The Chairperson of the Textbook Selection Committee commented, "We do feel that there has been strong doubt cast upon our professional and our personal integrity." She stated further that based on this experience, she felt that the school system will have difficulty in getting high calibre personnel to volunteer for such assignments in the future.

**Educational Losses**

By mid-December 1974, many schools had not yet received the books that the Board of Education, in its compromise decision of November 8, had voted to return. The process of their return had been slowed by the requirements of the Board's instruction that no student would be required to use any materials to which his or her parents objected. At the elementary level, the D.C. Heath *Communicating* series, selected as companion texts to the basic textbook adoption, had been placed in the school libraries —to be used by students only in the libraries, and then only with parental consent. This arrangement, one elementary principal said, "unduly restricts the rights of the principal and the faculty to organize and manage, in any practical fashion, an effective instructional program in Language Arts." She further commented—

> Cases now exist . . . where some teachers may not want to use the *Communicating* Series at all for any students, because of all the complications that are involved.
>
> On the other hand, some teachers may attempt to use the books in their classrooms in direct violation of the Board's guidelines.
>
> Teachers, generally, are experiencing doubt as to what they may or may not do, use, or say. . . .They feel a loss of trust by members of their communities in their professional integrity and instructional competence. Teacher morale, in general, has suffered drastically.

During the first few months of the controversy, the extent of educational loss at the secondary level was perhaps even more

severe than in Kanawha County's elementary schools. The Board's directive required that secondary language arts teachers prepare a list of *all* adopted materials to be used in their classes to be sent home with the students in order that the parents could check the materials that they approved and disapproved for their children's use. Thus, for a period of several months, the secondary schools were without any of the adopted instructional materials.* The dilemma that this posed to schools in the areas of most extreme protest was expressed by one classroom teacher:

> We have to come face to face with the fact that in our school, a majority of our students represent homes in which the parents do not want their children to read from the new textbooks. We sent out a survey form to each and every parent listing each book that we, as a school, had purchased. Many of those survey forms came back with, "I do not approve of any of these books." And I would say that we had, maybe, two hundred titles listed.
>
> We have received letters from parents, some notarized, saying that if any teacher, or any employee of the Board of Education infringes upon their rights as parents, we will be sued.
>
> In the classroom, the students—many of whom have been out as much as nine or ten weeks—just sit there because they seem to have lost interest in school. They have the problem of catching up with their work, the problem of trying to make sense out of all the confusion.

At the time of the NEA hearings, the Kanawha County School System had not yet received the responses of all parents concerning their children's use of the various disputed materials. The completed returns have since been received. A newspaper poll of a random sampling of less than 20 of the 89 elementary schools reveals that approximately 70% of the parents of elementary students in these schools have withheld permission for their children to use the D.C. Heath *Communicating* series. But at the secondary level the reverse is true. Approximately 75% of the parents of secondary students, according to the poll, have signified their

*All of the challenged materials were removed from the schools in September pending evaluation by the Citizens Review Committee. As noted in the text, the books still had not been returned to many of the school by mid-December, when the NEA Hearings were conducted.

willingness to have their children use all of the adopted language arts materials—an indication perhaps that the older students have themselves exerted some influence over the decisions of the parents.

The NEA Panel has been informed, since the hearings were conducted, that in areas of the county where objection to the books is most prevalent, the secondary schools are arranging separate classes for students who are and are not permitted to use the adopted materials. But at the elementary level, recent information suggests, the situation remains very much as it was when the NEA Panel was in Charleston; that is, the results of the Board's compromise decision are generally unsatisfactory to both pro-and anti-textbook factions. Parents who opposed the D.C. Heath elementary series complained to the Panel that in some schools these books, against the Board's instructions, were being retained in the classrooms. They charged that their children were being ridiculed by other students and discriminated against by the teachers because they were not allowed to use the books. On the other hand, parents who support the textbook adoption claimed that the books still were not available in some schools and, furthermore, that the seclusion of these books in school libraries nullifies their value as textbooks and violates the academic freedom of the classroom.

The teachers and principals spoke also of the procedural snarls in attempting to implement the Board decision and of the difficulty of providing adequate instructional materials for the students who were not permitted by their parents to use any of the newly adopted books.

## Educational Repression

Spokespersons for the educational and religious fundamentalists of Kanawha County have proposed that public education shall be a neutral zone, value-free and, therefore, incapable of giving offense to any cultural, racial, ethnic, or religious group. Such a form of education never was, and never can be. There is no textbook in any area of literature—including the all-white *Dick*

*and Jane* primer or the *McGuffey's Readers*—to which some individuals and groups might not take offense. Nor would it be possible for neutral or value-free education to be realized within the guidelines that the anti-textbook leaders have proposed and the Board of Education has approved for future textbook adoptions in the school system.

These guidelines as adopted by the Board on November 21, 1974, require that:

—Textbooks for use in the classrooms of Kanawha County shall recognize the sanctity of the home and emphasize its importance as the basic unit of American society.

—Textbooks must not intrude into the privacy of students' homes by asking personal questions about the inner feelings or behavior of themselves or their parents by direct question, statement or inference.

—Textbooks must not contain profanity.

—Textbooks must respect the right of ethnic, religious or racial groups to their values and practices and not ridicule those values or practices.

—Textbooks must not encourage or promote racial hatred.

—Textbooks must encourage loyalty to the United States and the several states and emphasize the responsibilities of citizenship and the obligation to redress grievances through legal processes. Textbooks must not encourage sedition or revolution against our government or teach or imply that an alien form of government is superior.

—Textbooks shall teach the true history and heritage of the United States and of any other countries studied in the curriculum. Textbooks must not defame our

nation's founders or misrepresent the ideals and causes for which they struggled and sacrified.

—Textbooks used in the study of the English language shall teach that traditional rules of grammar are a worthwhile subject for academic pursuit and are essential communication among English-speaking people.[19]

The first of these guidelines—requiring textbooks to recognize the sanctity of the home—conveys a value that the Board of Education has directed the schools to impart. It is an admirable value, although some very admirable writings—including some of the writings of Shakespeare and Dickens, and some portions of the Holy Bible—if taken out of context, might fail to meet this criterion.

There is, in fact, not one of the adopted guidelines that is value-free. Nor can there be any literature that is value-free, for literature contains ideas; and ideas concern values. The only way in which a school system could approach neutrality would be to offer students a random multiplicity of literature and ideas and values, and permit them to select and read randomly with no guidance from teachers; and no one is proposing this.

It must be assumed then that the anti-text leaders in Kanawha County are equating a "neutral" education with an education that is simply non-controversial, according to their own values and traditions.

If the recently adopted guidelines were interpreted in the way that the Textbook Review Committee Splinter Group appears to have interpreted them in its review of the disputed texts, the enforcement of the guidelines would impose upon the public schools the task of indoctrinating students to one system of cultural and religious values, inflexible and unexamined.

Retention of the guidelines could prohibit future history texts from telling the true story of Watergate because that story might cause some students to question the superiority of our government to all others; and it would surely, if told truly, contain

profanity. Enforcement of these criteria could prevent history books from telling the true story of the black experience in this country, or of how the West was won, because those stories might offend the dominant race in this nation, might defame the nation's founders, and might induce students to question the opportunity that the nation has provided for the redress of grievances through legal processes. The guidelines would undoubtedly exclude from any future textbook the history of the present controversy in Kanawha County. Such a history, if truly told, would contain profanity and it would perhaps encourage racial hatred. If told from the viewpoint of the text opponents, it would clearly violate the guidelines concerning the "obligation to redress grievances through legal processes."

In short, the enforcement of these guidelines, as they are likely to be interpreted by their proponents, would destroy education in the Kanawha County Public Schools. Moreover, the textbook adoption procedures recently approved by the Board offer a method by which such a result could probably be accomplished.

Under these procedures, each Board member will select three parents and one teacher to a screening committee for each subject area that is under study for textbook adoption in any given year. This screening committee—composed of 75% parents and 25% teachers—shall examine all books submitted by publishers for the purpose of eliminating those textbooks and related materials that do not meet the Board of Education guidelines—as those guidelines are interpreted by the committee. A 75% vote will be required to eliminate any textbook.* Thus, if the anti-textbook forces in Kanawha County are able to obtain a majority on the Board of Education—or to further intimidate the present majority—their concept of "education" will surely prevail.

There are many aspects of the textbook adoption procedures that will make the selection and adoption of instructional materials a nearly impossible task—and a nightmare. The process can only founder amidst the welter of committees, teams, and councils, that have been created. Under the new system, the influence of lay

*On January 21, the Panel has been informed, the Board of Education revised this decision to provide that a 75% vote will be required to *retain* any textbook.

citizens is not only present; it literally permeates every area of curriculum planning and textbook evaluation. The screening committees, a curriculum advisory council, preliminary curriculum committees, and curriculum study teams all contain parents as well as teachers. The textbook selection committee alone is composed solely of professional educators. But by the time this committee begins to function, the range of materials left to select from may have been so narrowed as to make a mockery of the selection process.

The unwieldiness of the newly adopted procedures will seriously obstruct the task of textbook selection. But the most critical problem is this: Whatever the persuasion of the Board members, the procedures that they have approved will make censors of parents, will constitute an abdication of the Board's legal obligation to maintain responsible control of the schools, and will endanger—if not destroy—the atmosphere of free inquiry and the free exchange of ideas without which education cannot survive.

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## V. DYNAMICS OF THE CONFLICT

In their varying analyses of the textbook controversy, the Kanawha County citizens who met with this panel conveyed the clear impression of a climate, a public mood, and a pattern of circumstance that have converged to create almost a classic setting for convulsive social conflict. All of the elements of such conflict appear to be present:

- *A community long divided within itself along lines of class, urban and rural life style, religious belief, and cultural values.*

  Historically, the two cultures seldom came in contact, thus had no opportunity to collide or to compromise. But with the construction of hard-surfaced roads, the proliferation of automobiles, and the advent of highly effective mass media, people from the most isolated rural communities have been drawn into the orbit of the urban society—a society that has challenged their self-esteem and belittled their values.

- *A school system that, in its liberal educational philosophy and apparent domination by the higher status groups within the city, has grown remote from and alien to its conservative rural communities.*

  Intensifying the rural sense of alienation from the schools has been the program of school consolidation carried out over the past fifteen years. Schools have been closed because of population loss and attendance areas have been enlarged in order to do away with the many two- and three-room schools that once served the county's rural areas. The result, according to school personnel, has been to improve the quality of education in these areas; but the way in which the consolidations were effected—without adequately involving the communities concerned—did nothing to improve the quality of school-community relations. The loss of their small community schools and the feeling that their interests had been ignored throughout the consolidation process, testimony suggested, have contributed to a long-simmering resentment against school officials on the part of rural citizens.

And as the Kanawha County Public School System has grown more remote from its rural communities, it, like school systems across the nation, has effected fundamental changes in philosophy and methods of instruction—changes that are not clearly understood and are deeply mistrusted by those who seek for their children the kind of training they themselves received. Where once the schools offered a traditional curriculum divided into airtight compartments called "subjects" they are now offering broad, integrated, and perhaps dimly defined educational programs. Language arts—with its multiple, interrelated components—has replaced the partitioned disciplines of reading, grammar, and penmanship. The seemingly arcane concepts of modern math have replaced the clear-cut drills of multiplication and long division. Where the schools once told students what to think, they are now attempting to teach students how to think—analytically and inquiringly. In the concepts, the methods, and even in the language of education, the Kanawha County Schools have changed—swiftly, and toward purposes that have been imperfectly explained. In so doing, they have left out and left behind a sizeable segment of their constituency.

Added to the cultural dissonance inherent within this local setting has been the impact of national events—

- *The politics of confrontation that so profoundly jarred this country during the civil rights and anti-war movements of the 60's:*

  While abhorring the goals and values of the various revolutionary movements of the earlier era, the mountain people of Kanawha County—to whom physical confrontation has been a traditional means of settling grievances—have found it not unnatural, in their own distress, to assume similar tactics of violent protest.

- *An apparent moral and economic decline in the nation:*

  The prevalence of street crime, the drug culture, the Watergate horrors, and the grim incongruities of soaring inflation and ever-deepening recession have induced a generalized panic response and distrust of all governmental institutions.

The rural people of Kanawha County have not been unique in their reactions: to focus their dissatisfaction on the one institution closest to them—the public schools. At the same time, paradoxically, they have looked to the schools to provide an education that would help them protect their own children from the moral uncertainties and economic dislocations of contemporary life.

**Precipitating Factors**

Leading up to, and finally precipitating the current conflict have been two significant local events, the first occurring over four years ago:

- *The sex education controversy:*

  In April 1969, the Kanawha County Board of Education unanimously adopted a sex education program to be introduced, on a pilot project basis, into four elementary, two junior, and two senior high schools. The program was adopted on the recommendation, based on a two-year study, of the Curriculum Council, a group composed of eleven lay citizens and school professional personnel. The program was never to move beyond the pilot project stage; its abolition became the platform promise that in 1970 elected to the Board of Education an individual who denounced the program as being an attempt to bring a "Humanistic, atheistic attack on God" into the schools. The new Board member's efforts were highly successful. With the aid of the county's numerous fundamentalist preachers, the backing of an ad hoc local anti-sex education group, the Citizens for Parents Action Committee, and the spurious support of MOTOREDE* literature, she was able to eliminate the program from the schools. This censorship effort was a harbinger of events to come in 1974; its success showed that by public protest—even when that protest is based on distortions of truth and false accusations—the people can make a difference in shaping, or dismantling, public school programs.

*Movement to Restore Decency, an anti-sex education organization affiliated with the John Birch Society. A MOTOREDE publication circulated in Kanawha County at the time spoke of "powerful conspiratorial forces intent on destroying civilized values," and declared, "It is no accident that Communists and others long associated with this conspiracy are among the staunchest advocates of the growing menace of school courses on sex."

- *The introduction of the new English Language Arts text and supplementary books in 1974:*

  In compliance with State Board of Education policy, the newly adopted books portray the diversity of culture, race, and viewpoint in our society. They include the writings of such authors as e.e. cummings, Dick Gregory, Allen Ginsberg, Eldridge Cleaver, and Malcolm X—writings that tell something about the ironies and injustices of our nation's history and its contemporary society. Some of the writings use profantiy; some make use of old Anglo-Saxon terminology, now commonly referred to as "four-letter words." Some of the texts contain analyses of the various dialects of the English language, pointing out that standard English is not essential to effective communication, but that various levels of language usage are "appropriate or inappropriate" for a given situation, rather than "right" or "wrong." They use "open-ended" stories and discussions, to enable students to evaluate what they read, to examine more than one viewpoint and, with the teacher's guidance, to draw their own conclusions.

  For such alleged sins of commission as these, the books, like the sex education program five years ago, were denounced. Initiating the protests in 1974 was the same Board member who had sparked the successful sex education challenge in 1969 and 1970.

  The adoption of the texts and their denunciation by the one Board member who has represented and had the full trust of the historically powerless mountain people of Kanawha County were all that was needed to disrupt the fragile social equilibrium of this community. The textbooks, and the school system itself, have become symbolic of all that the protesting citizens fear and deplore in American society.

**Undercurrents of Racism**

The situation in Kanawha County presents an extreme, but microcosmic, picture of the cultural conflict that now, as in many troubled eras of the past, threatens to destroy the academic freedom of the classroom in communities across the nation. At this particular juncture in history, it poses another threat to rights that

have been newly won: the right of racial and ethnic minority groups to be included in the textbooks; and the right of all students to learn that in the world and in this society, white is not always right; that white, middle-class values are not the only, nor even always the best, values; and that the history of the United States is not one long, unblemished record of Christian benevolence and virtue. Teaching and learning these truths are not acts of subversion or irreligion. But to ignore them is an act of blind patriotism and religious bigotry.

> Traditionally, educational materials have been written from the perspective of the majority community and we have labeled this viewpoint 'American'. Hearing the voices of non-whites articulating another concept of this country may, because of its difference in tone, arouse the emotions of those who have not been previously exposed to these ideas; however, the essence of Americanism is in the divergence of opinion expressed by all of its citizens and we believe that to suppress these points of view is positively un-American.[20]

Spokespersons for the anti-book movement vigorously denied that there was any element of racism in their protest or in their community—except, they alleged, in the "racial hatred" portrayed in the books. If the protest movement and the community itself are as free from racial prejudice as its leaders claim, then Kanawha County, West Virginia, is indeed unique among all the counties in this country. And if the protest is as free from racism as its leaders claim, then it is difficult to understand why teachers have received complaints from parents about illustrations in textbooks depicting a white female student and black male student together. Or why a minister was called by an irate parent who wanted to know if the minister wanted his daughter to marry a black man.[21] Or why some members of the Citizens Textbook Review Committee who recommended retention of the books received numerous telephone calls that they described as obscene and, in almost all instances, dealing with race. Or why, as reported to the Panel, a building in an outlying area of the county was painted with lettering that stated, "Get the nigger books out!"

> One member of the Textbook Review Committee commented
>
> ". . . not only was the racial issue an issue in this, but . . . another culture, another way of life. Ghetto stories about any race of

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people, stories outside our particular realm of experience, or outside our children's realm of experience, I think, elicited a great deal of criticism. Things that were not always pretty, things that we probably would not expect our children ever to experience were objected to."

The young people of Kanawha County's rural areas have little opportunity to become acquainted with any minority race: Blacks comprise only .5% of the entire County population, while they are 10% of the population of Charleston proper; .3% of the county's population is of Spanish heritage; and only 2.9% are first- or second-generation Americans, their leading country of origin beings the United Kingdom.[22] In today's highly mobile society, however, and particularly in this county and state, with a consistently high rate of out-migration, it is unlikely that all, or even most of the young people will remain in their home place. To insulate them from knowledge of other groups is to deny them the preparation they need for citizenship in the larger society.

Brief examination of the textbook critique prepared by the Review Committee Splinter Group reveals a pervasive concern with writings related to race.

The following excerpts from that document* reflect this preoccupation:

| | |
|---|---|
| (Text Item) | Article says whites of this nation are all insensitive, unaware, create hostility, and suspicion, and are breakers of communication. |
| Objection: | Untruthful, generalized statement. |
| (Text Item) | Concerning what to call blacks. |
| Objection: | This is ridiculous. What does this have to do with the instruction of English? |
| (Text Item) | Not specified. |
| Objection: | Teaches superiority of Chinese ability to understand world view. |

*Admittedly, out-of-context excerpts of comments on out-of-context excerpts.

(Text Item) *A Toast to Harlem and Temptation* by Langston Hughes

The toast to Harlem is "that it belongs to the Negroes."

Concerning temptation, reference is made to Adam & Eve. Simple says that if he had been in the Garden of Eden he would have stayed there and out of Harlem. But his friend tells him that he was not there because Adam & Eve were white; and that they were late arrivals on the scene.

Objection: Anti-Christian in a satirical fashion.

(Text Item) The problem of race in America is a white problem.

Objection: Writer's opinion. Should not be stated as a proven fact.

(Text Item) Not specified.

Objection: Reference to Mexicans having a revolution against whites, breeds hate between the races.

(Text Item) *My Childhood* by James Baldwin

Mr. Baldwin speaks of the vengeance of his father. He says that the church for him was almost literally a way of getting back at white people. His father wanted to kill white people!

In the Harlem ghetto, Baldwin felt caged like an animal and wanted to get out. He had accepted his father's bitterness—that of blaming the white people for poverty, etc.—after his father's death.

Objection: 1. The story is anti-white. The generalization is that all white people have discriminated against the black.

2. The story is not necessarily timely.

3. Has the White man caused all the problems of the Negro race in America? Is Mr. Baldwin, in any way, responsible for his own problems?

4. What is the purpose of this selection? (many of Baldwin's works are of good quality.)

5. Why teach anti-white? (Anti-black is not taught anywhere in this series.)

After reviewing the committee's many objections to writings by or about blacks, it is difficult not to agree with the statement of one individual who met with the Panel—that the protest is, at least in part, "a reaction to the black presence in America." Denying this, anti-book leaders emphasized that they had no objection to multicultural, multi-ethnic materials, but that they did object strongly to the inclusion of writings by "convicted criminals," no matter what their race. One individual, commenting that she knows of many fine black writers, stated that she felt black people would not wish to be represented by some of the writers whose works appear in these books.

The NEA Panel questioned one citizen of Kanawha County—a black minister—concerning this particular point, asking him if he felt that the adopted books offered an accurate portrayal of blacks in America. His response was that he considered the portrayal to be an honest one. He further commented—

> One of the expressions of racism, to me, is the subtlety of how other folks have a way of choosing who is acceptable to you . . . I have had people say to me, personally, "I know that you would not want to accept Eldridge Cleaver or Malcolm X in a book to be taught to your child." And I would ask, "How do you know that?" And they would say, "Because they do not represent your people in the best light."
>
> Now, two assumptions were made there. One is that I would reject Malcolm and Eldridge and Angela. The other is that the light in which they see them is the best light and the writers do not emerge very handsomely, or very American, in that light. Therefore, I should reject them.
>
> It comes on to the point of racist notions like that—saying that not only do we decide certain things about what you do and where you go, but we also take the prerogative of choosing your heroes. And since these particular heroes are not acceptable to us, they should not be acceptable to you. . . . And I think that those kinds of statements and the unacceptability of certain kinds of writings are an expression of a subtle racism.
>
> One other point that I find very interesting now is that some of my white ministerial colleagues accept Martin Luther King, Jr., as a patriot. When in his lifetime he took the position on the Vietnam War that he did, almost from every mountainside he was being declared unpatriotic.

Racism has been defined as the belief—conscious or unconscious—that one's own race is superior to another, combined with the power to enforce that belief through the institutions and culture of a society. There can be no honest denial of the institutional and cultural racism inherent within our own society or any of its communities. It is not surprising, therefore, but it is sadly ironic that racism should enter into this dispute, for in the experience of many of the young people of rural Kanawha County, there is an analogy to the experience of Chicanos, Blacks, Native Americans, and other social and economic "out-groups." The dialect of the mountains, like that of the ghetto, and like the language of the Rarrio and the reservation, creates a barrier to learning in the middle-class American school. The speech patterns, dress, and behavior of many mountain children, like those of minority children, are different from the standards of speech, dress, and behavior of the middle-class American school. For many the public school experience is damaging to their sense of self-esteem, demeaning to the traditions of their nurture; it is "something to get out of when you are sixteen."

The public school experience could, if it were permitted, enable these children to understand that to be different is not to be inferior, and that differences in culture or race or ethnic group have nothing to do with "better" or "worse;" they simply have to do with diversity—a condition in this nation to be appreciated and not evaded.

## The Influence of "Outsiders"

> If you want to please a "Liberal," turn over a rock so he can luxuriate in the ooze of his country's imagined shortfalls. Never mind that this is the greatest country on earth, whose noble *ideals* should be taught to our youth. Let him damn those ideals and wallow instead in gutter culture and ghetto language with revolutionaries, rapists, and prostitutes for his heroes. But *please*, keep him away from our children. (emphasis in original)
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> * * *
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> *In What Went Wrong with American Education and How to Make it Right* . . . Dr. Peter Witonski comments that where once the chief purpose was 'to *educate*', today American schools serve other purposes, which are deemed more important. The schools

> are used to develop new social attitudes in children. Busing and other non-educative tools are used to "integrate" our society—often at the expense of educating it. Literally millions of education dollars are spent on purposes other than education.' For an example, one has to go no further than Kanawha County, which spent half a million dollars for a program in "inter-ethnic" studies that would embarrass a self-respecting pygmy. (emphasis in orginal)
>
> —Quotations from article by John Hoar, "Parents Revolt When Textbooks Are Propaganda," appearing in November 1974 issue of *American Opinion* magazine, published by John Birch Soceity.

In discussing the significance of the Kanawha County textbook controversy for public education and for school systems throughout the country, the NEA Panel considered two specific questions:

1. Had it not been for their multi-cultural, multi-ethnic content, would the language arts materials adopted in 1974 have generated as unyielding and violent a protest as that which has occurred?

2. Would the conflict have been as prolonged and intense as it was, had it not been infiltrated by representatives of highly sophisticated, well-organized right-wing extremist groups?

The answer to both these questions, the Panel believes, is no. And both questions have serious implications for public education in America—not only for academic freedom, but for the survival of the multi-cultural, multi-ethnic materials that have so recently been developed.

> . . . the desegregation of schools in the City of Charleston was rather calmly and quietly achieved. The City was not exposed to the ugliness of some cities that I had witnessed myself, first-hand. . . . But now we come to a substantive issue that provides a new test for our collective commitment to racial balance and racial harmony. The issue now is not the placement of students or the integration of blacks and whites. Rather, it concerns the integration of instructional materials and their content, the integration of life-styles that are a part of our pluralistic society and its heritage. Here is where I feel the real test is. Can we tolerate the

differences in the life-styles and experiences that are part of our American heritage?

Statement to NEA Panel by the Rev. Ronald W. English, Pastor of the First Baptist Church, Charleston, West Virginia

How this test is met in Kanawha County is a matter of critical consequence. For the textbook issue in Kanawha County, like the busing issue in Boston, has become a focus of national attention. Both issues involve race. And both books and busing have been a continuing target of extremist attack. It is difficult to believe that this has not also been true of the textbook protest in Kanawha County and of similarly targeted protests in other parts of the country.

Without question, some of the imported funding of the Kanawha County anti-book movement has come from individual donors who have sincerely supported the movement's purposes. Other sources of legal, organizational, and financial assistance have been extreme right-wing organizations, either directly associated or in apparently close sympathy with the John Birch Society. Among these organizations have been Citizens for Decency through Law*, whose public relations representative, Robert

*An article in *The Wall Street Journal* of January 21, 1974 ("Tables Turn on Antismut Group; State Officials Say Its Fund-Raising Costs Exceeded Legal Limits") reports as follows:

"When the U.S. Supreme Court last June broadened the authority of states to ban movies and publications that officials deem obscene, it promised new legal trouble for theater operators and publishers. And it breathed new life into a group called Citizens for Decency Through Law, probably the most aggressive and well-financed group opposing pornography.

"But Citizens for Decency through Law (formerly and, perhaps, better known as Citizens for Decent Literature) is having its own troubles with the law. Officials of several states have charged that the organization is channeling too much of the money it raises from the public into efforts to raise more money from the public—and not enough into the activities that give it tax-exempt status.

"New York officials, for example, report that the group in 1972 spent $1.4 million, or 67% of the funds it raised, for administrative expenses and more fund raising. The state is asking a state court to enjoin the group from further solicitation. Pennsylvania and North Carolina have denied permission for the group to raise money from the public."

A later *Wall Street Journal* article (February 1, 1974) reported that the New York State injunction against CDL public fund solicitation had been lifted when the group agreed to limit future fund-raising costs to a maximum 35% of funds solicited.

It should be noted further that the CDL has expressed the view that the books adopted by the Kanawha County Schools are not obscene or pornographic. The question arises—if this is the view of his employer, what, precisely, is Robert Dornan's purpose in Kanawha County?

Dornan, has been in Kanawha County helping to organize the protest movement; the American Opinion Book Store in Reedy, West Virginia, one of the outlets for John Birch Society materials, whose manager has printed excerpts from the books and other handouts for the protesters; the Heritage Foundation, Inc., of Washington, D.C., one of whose attorneys, James McKenna, has acted as counsel to the anti-book leaders in the preparation of legal suits; Mr. & Mrs. Mel Gabler, self-appointed textbook censors of Longview, Texas; and the National Parents League, an Oregon-based organization dedicated to the proposition that to protect their children from the moral corruption of the schools, Christian parents should teach them in their own homes. (The superintendent of these home schools and president of the National Parents League is Mrs. Mary Royer.) A more recent entrant into the Kanawha County protest has been the Ku Klux Klan, whose Imperial Wizard, James R. Venable, has charged that the objectionable books "are part of a Communist plot." As this report was being written, announcement had been made that a group of klansmen from five or six states would conduct an investigation of the controversy in order "to expose those textbooks."[23]

All these groups, of course, have every right to assist the anti-book protest in Kanawha County and in any other part of the country. Just as this country has vast diversity of race, culture, and nationality, it has, and must permit, vast diversity of political and religious thought, including the views of the extreme left and right.

> The views of the extremist can be introduced into a free society's marketplace of ideas, but his disruptive tactics should not be tolerated. An individual has every right to express his opinion that sex education is a Communist plot or that pornography is introduced into the classroom via sex education. When the sole support for these opinions rests on gross distortions of truth, threats, and libelous accusations, then the criticism is clearly destructive and has the effect of undermining the school system and destroying parental confidence in teachers and school administrators. When the philosophy of 'the end justifies the means' is applied to education, teachers and their professional associations throughout the country should condemn the tactics of such criticism wherever they are found.

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> . . .it should be pointed out that petitioning one's elected representatives, writing letters to the editor, and expressing a point of view are all legitimate activities, well within the democratic process. Even when that expression or criticism is obviously irrational, the critic has the right to voice his opinion.
>
> Nevertheless, when . . . right-wingers utilize methods such as character assassination, intimidating and harassing telephone calls . . . disruption of school board meetings . . . their actions undermine public confidence in the schools, subvert the honest criticism of parents, and threaten the academic freedom of students and teachers.[24]

In their scare tactics, their reckless disregard for truth, and in the irrationality of their accusations, both right- and left-wing extremists in this country bear a striking — and paradoxical — resemblance to each other.

For example, it is interesting to note that extreme left wing groups have also joined in the outcry against the books. The candidates for United States President and Vice President, of the Socialist International Workers Party, announced at a party rally in Charleston in November, that they were against the texts "because they prevent people from learning about communism." "These books," they said, "are the kinds of books the fascists spend enormous energy on to keep people from learning what communism is."[25]

Among the more blatant distortions of truth that have been spread about Kanawha County by right-wing literature and spokespersons have been the following:

- *The public schools are teaching an "anti-religious religion" of secular humanism, given formal recognition as a religion in two decisions of the U.S. Supreme Court, and are thereby violating the constitutional separation of Church and State.* (An analysis of this argument, prepared by the NEA Office of General Counsel, appears as Appendix C.)

This particular piece of propaganda seems to have caused no little confusion in the minds of Kanawha County citizens. Their testimony indicated that whenever they see the words "human,"

"humanize," or "humane" in any literature, they interpret it to be an expression of the system of thought or "human-centered religion" known as secular humanism. The extent of this confusion is reflected in the following excerpts from the NEA hearings:

Witness: Teachers Training Teachers: Now, the State of West Virginia asked for $380,000 to implement this program, but they only received $187,000 out of which they used $147,000 . . . . But here is the complete humanistic chapter, out of the final report of the TTT. Now, I find this a little bit hard to believe that the ACT or NEA, or any of these people do not know what these programs are all about. Because it says in here that they're humanizing education. . .

Panelist: Is this humanism taking place because they use the word 'humanizing?' Does that necessarily mean that it cannot have a religious underpinning or be of concern to religious people or God-fearing people—to be concerned with improving the degree to which one person can get along with another person? Is it just the *word* "human" that makes it humanistic or is it the *intent* of what they're trying to do.

Witness: I think it's the intent, because why do they dwell so much on being a human?

Panelist: Well, that's what we are.

Witness: That's not the idea at all. It is humanistic. It is a form of religion.

Chairperson: Well, let me see if I can add this to the discussion. In the community where I teach, for a good number of years, children were physically hit by teachers and people who worked in the buildings . . . . The community, of course, was very disturbed about that, and so the school board began to develop some training among the teachers so that they would treat the children as if they were human beings, rather than as if they were animals . . . . And so the word

"human"—that is, that the teachers should act more humanely with children—is a term that was used and which parents insisted upon.

- *The Supreme Court took prayer out of the public schools, but the books contain prayers and stories about religions; thus, they are violating the Supreme Court decision.*

There is a great deal of difference in teaching religion and teaching about religion; and the difference was recognized by U.S. Supreme Court Justice Brennan in his concurring opinion in *School District of Abington Township, Pennsylvania v. Schempp:*

> The holding of the Court today plainly does not foreclose teaching *about* the Holy Scriptures or about the differences between religious sects in classes in literature or history. Indeed, whether or not the Bible is involved, it would be impossible to teach meaningfully many subjects in the social sciences or the humanities without some mention of religion. To what extent, and at what points in the curriculum, religious materials should be cited, are matters which the courts ought to entrust very largely to the experienced officials who superintend our Nation's public schools.[26]

- *The publication of the books and their introduction into the schools are part of a communist plot to undermine the morals of the nation's youth—the first step in the communist conspiracy to take over the nation itself.*

To accuse American textbook publishers—one of the most highly competitive participants in the American system of free enterprise—of taking part in a communist plot to overthrow this very system is such a self-contradictory allegation that it defies rational response.

These are just examples of the extremist propaganda that has been fed into the Kanawha County controversy to enflame passions, to exploit fears, and to subvert the sincere concerns that Kanawha County parents have about the education of their children.

Without borrowing the tactics of right or left wing extremists, which the NEA and this Panel condemn, it is difficult to ascribe motive to their actions or to charge conspiracy as they have done with such abandon. The Right Wing groups, however, have made no secret of at least one of their purposes—to preserve the American free enterprise system against a Communist takeover, which they have seen as an imminent threat for the past 35 years:

> In a volume entitled *The Politician*, [Robert] Welch [founder and president of the John Birch Society] wrote that President Eisenhower's brother, Milton, president of Johns Hopkins University, was "actually Dwight Eisenhower's superior and boss within the Communist Party." Of the President himself Welch wrote that "there is only one possible word to describe his purposes and his actions. That word is 'treason.' "[27]

Without questioning the right of the extremists to enter into the public school controversy in Kanawha County, or any other areas of the country, the NEA Panel considers it vitally important for citizens of such communities to recognize that the charges these groups make are groundless and irrational—as reflected in the above quotation—and that their methods of incitement are violative of the democratic principles of this nation, which they purport to defend.

It is also essential that citizens recognize that the tactics of extremism—right or left—are the tactics of exploitation. The sex education disputes of a few years back, like the textbook disputes of today—particularly in a culturally divided community such as Kanawha County—are just the kinds of issues that can be used by extremists to further their own purposes—whether those purposes are simply to increase their membership—or whether they are of even more pernicious intent. And whatever that intent may be, the forces of extremism in this country are destructive of every advance toward social justice that this nation has made over the past twenty years. In their superpatriotic pose of defending America, the extremists move in devious ways to destroy the very conscience of America—its Constitution and Bill of Rights.

> Often and truly it has been said that the intent of the Constitution is to protect not only the ideas we cherish, but those that we loathe. Yet so far has the opposite idea been carried, at various

times and in various places, that people are frequently looked upon as enemies of the Constitution for praising and upholding its guarantees of liberty. All of this springs from a distrust of human society, which means at bottom a distrust of one's self. Those who feel the need to be told what to do, and to be made to do it, are most certain to inflict their collective will on others, either through the medium of government or with disregard of it. These are the extremists—the Communists, the Fascists, the Minutemen, the superpatriots who think they honor the flag by compelling their neighbors to salute it. But the fear extends further. It reaches those who dread the uncertainties of the world they live in, the society whose present problems they cannot fathom, the future whose nature nobody can foretell.[28]

## VI. CONCLUSIONS OF THE PANEL

*Montani Semper Liberi* – Mountaineers Are Always Free.

– West Virginia State Motto

> . . . there can be no freedom of thought without freedom from fear; no freedom from fear when there is fear of freedom.
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> * * *
>
> To be worthy of the American heritage, the people must live up to it. To retain it, they must shape their institutions and their thoughts for its retention. That calls for full recognition by the courts, the Congress, and most of all by the great body of the people, of the true nature of the complete Bill of Rights. They must accept, support, and defend it as the bastion of the social order, the bulwark of the state, the guardian of the family and the individual. That will not put an end to political acrimony, or eliminate the extremists of the Left or Right. But it will establish a climate in which no political storm can become an irresistible whirlwind.[29]

The textbook protest in Kanawha County did indeed become a political storm. In the words of one witness, "the legitimate concerns of real people were submerged, indeed lost, as the controversy was politicized and stolen from the people."

The storm, now abated, has left in its wake a climate heavy with apprehension—a Board of Education whose elected majority has been intimidated; a superintendent who has been driven out; teachers who are frustrated, angry, and fearful; and students who have had a lesson in demagoguery that undoubtedly has had a more depressing and negative effect than any textbook words or stories could ever have.

### Purposes of Education

The Kanawha County conflict has not been resolved; a truce has come about through capitulation rather than compromise. The basic questions still remain unanswered; and they are questions that are being asked in school districts scattered across the nation:

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- Shall the purpose of education be confined to the transmission of basic skills and of a preconceived system of facts, carefully screened to ensure against cultural shock or against any intellectual awakening that might cause students to question the precepts and traditions of their nurture?

- Shall the purpose of education be to instill in students a passive submission to coercive authority, a blind acceptance of the chauvinistic dogma that this nation has never betrayed its own constitutional ideals?

- Shall the purpose of the schools be to protect students from the harsh realities of our society and deny them knowledge of its rich diversity of ideas, cultures, races, ethnic groups, and life styles?

- Shall the content of public education be determined by the parents of each community to ensure against violation of prevailing community and parental values? And if so, which parents and whose values shall prevail?

- Shall the entire matter of educational programs and materials be submitted to a popular vote in order to determine the prevailing value system? What then shall be the rights of those whose values lost out at the polling place? What then would be the need for an elected board of education—or for the professional knowledge of educators? What then would be left of the right of students to learn?

The NEA Panel cannot believe that any parents of Kanawha County—or elsewhere in the country—would want the kind of educational anarchy that would result from implementation of the above propositions. And yet there were protest leaders who seemed to be advancing just such proposals as these.

- There were demands for a popular vote on the disputed books.

- There were demands that the schools be ideologically neutral—value-free—coupled with demands that nothing be

admitted into the public school curriculum that would contradict the clearly articulated moral and religious values of *The McGuffey's Readers.*

- There were demands that the schools should not inform students of the world as it really is, but should portray to them the world as it ought to be.

Religion can serve—and indeed it has served many people—as a buffer against the painful realities of life. There is no way that education can serve this purpose and maintain integrity. Nor, without the surrender of integrity, can the public schools indoctrinate students to any one social, philosophical, political, or religious value system. This does not mean, however, that the public school classroom should be—or ever could be—a neutral place. The very actions of the teacher, the maintenance of discipline, the insistence upon rules of honesty, courtesy, and fair play, and the advancement of democratic ideals, are all positive values that the schools convey—or should convey—to students.

In response to questioning by the NEA Panel, several Kanawha County citizens expressed their views concerning the major purposes of education. Although there was sharp disagreement between those who supported and those who opposed the books, there were also some basic areas of agreement in all their statements: that education should prepare students for good citizenship and for a full, constructive life; that education should provide training in basic skills; that it should help students to become vocationally self-sufficient—in whatever vocation they may choose; and that it should help them to live in harmony with their families and their communities.

There can be no reasonable basis for argument with any of these objectives. All communities, all states, and the nation itself, share an interest in preparing students for good citizenship and for full, constructive lives. The health of the economy, of the society, and of governmental institutions depends upon an adult population that has received just such preparation. It is for this reason, the Panel believes, that the qualities of good citizenship and the necessary qualities of a good education need to be defined, and to converge. It is the conviction of this Panel that good citizenship

demands of individuals—and it is education's most fundamental purpose to instill in students—the ability of critical thought, the ability to reason, to analyze and relate data, and to see behind the deceptive facade—whether it be that of a contrived political image or of a specious television sales pitch. The lessons of Watergate—the selling of a president in 1968, who came very close to selling out the nation in 1974—should teach us the enormous price that we pay when citizens blindly accept the words of false leaders or when men in high places blindly obey the instructions of their political bosses.

An essential task of public education then must be to treat students honestly—to inform them honestly of the history of this nation and other nations and to provide them with a vast diversity of literature, classical and contemporary, according to their level of maturity, in order that they may understand and appreciate the many cultures, races, and ethnic groups that comprise our society. The teacher, qualified by study and experience, must be free to promote intelligent learning, to encourage critical thinking. Subject to the final determination of the Board—and in consultation with *advisory* lay citizens groups—the teacher must be free to select instructional materials that will contribute most effectively to the achievement of these purposes. Teachers and students must be free to discuss controversial issues in order that students may acquire the skills needed for intelligent analysis of issues. This is the meaning of academic freedom. But in seeking academic freedom for themselves and for their students, teachers are not asking for academic license:

> The principle of academic freedom confers no right on the teacher to conduct propaganda for a private conviction even when it is motivated by the claims of conscience. Advocacy of social reform in an emotional manner is not a function of the school. The work of the school implies the use of knowledge and critical intelligence in the promotion of ethical ends. Academic freedom is not identical with freedom of speech in the market place which has no restrictions as long as it causes no public disturbance and poses no clear and present danger to the nation. . . .What is termed "academic freedom" should be called "academic responsibility." . . . It means intellectual integrity in the service of the common good: the duty of the teacher to follow the argument based

> on competent knowledge wherever it leads, despite interference on the part of any outside body—the church, the state, or even the opinion of the majority.[30]

The NEA Panel believes that the West Virginia laws governing textbook selection place the responsibility for that selection squarely where it belongs—with professional educators—and with final decision-making authority vested in the elected board of education. Parents should be consulted, and they should be involved in the selection process, but they should be involved as *advisors* and not as censors.

Parents should not be members of textbook selection committees, but they should serve on advisory bodies to be consulted by selection committees.

The NEA Panel would urge, therefore, that the West Virginia State Legislature withstand any attempt to impose legislative restrictions that would inhibit the right and responsibility of teachers to select instructional materials appropriate to the age and ability level of their students.

The Panel would also urge the State Legislature—

- to give the authority of law to the present State Board of Education mandate that all instructional materials in the public schools of the state shall be multi-cultural and multi-ethnic in content.

- to consider favorably the bill that has been introduced that would rquire, as a standard for teacher certification, that all teacher education students complete courses in human relations, and inter-ethnic and multi-cultural education; and would establish the same requirement for inservice training of currently employed school administrators and teachers. (see Appendix D)

**Retrospect: What Might Have Been?**

Without passing judgment on the disputed books, the NEA Panel can, with unanimity, *support the philosophy* of the English

Language Arts Program of the Kanawha County Public Schools—most particularly, its effort to portray the pluralistic nature of this society, and to encourage in students a free spirit of inquiry and independent thought.

In reviewing the history and background of the protest, however, the NEA Panel did note several critical points at which school officials and staff might have taken positive action to diminish, if not avert, the conflict. Primarily in the interest of alerting other school systems to steps they might take to avoid similar educational disruption, the Panel offers the following brief analysis:

*There was a failure on the part of school officials to anticipate an adverse reaction to the adoption of these language arts materials.*

The anti-sex education campaign of only a few years past, the election to the Board of the individual who had spearheaded that campaign, and the subsequent success of her efforts, should have given the other Board members and school administrators ample forewarning of what to expect with the adoption of multi-cultural, multi-ethnic language arts materials in 1974. Moreover, both the Board of Education and the administration should have had some awareness of the lingering resentment felt by rural citizens as a result of the loss of their community schools during school consolidation: it should have been recognized that these feelings would exacerbate any current dissatisfaction with the school system.

Over a number of years, in fact, there appears to have been a failure on the part of the Board land central administration to communicate effectively with their rural constituency. Testimony indicated that changes in educational philosophy and program have not been sufficiently explained—perhaps to all parents, but certainly to the rural parents. Admittedly, effective, systematic communication over such distances would be difficult. It also must be acknowledged that the promotion of parental involvement is no easy task. However, various steps might have been taken, and might still be taken, to achieve a greater degree of urban-rural integration in this school system.

- Principals and staff of schools in rural areas could be directed to mount an aggressive school-community relations effort. The suggestions of students, teachers, and parents could be solicited concerning the kinds of programs and activities that might be set up to stimulate parental interest and involvement in the schools.

- Board of Education meetings could be held on a rotating basis in different areas of the county, with ample advance publicity and invitations to residents in the various areas to attend the meetings, ask questions, and express their views and concerns on any pertinent educational matter.

- An active public information program could be established through the media—perhaps through a weekly television report to the people by the superintendent, or through periodic panel discussions of school affairs by school personnel and parents. As is done in several communities, perhaps newspaper space could be devoted, on a regular basis, to education news. (The Panel is aware, of course, that within the past few months, newspaper space has been devoted in superabundance to news of the educational conflict; this suggestion concerns education news even in the absence of conflict.)

*There was a failure to prepare in advance for the possibility of protest.*

Not only did the school system fail to inform or consult with parent groups in advance of the textbook adoption, in early 1974, but it eliminated the one group—the Curriculum Advisory Council—through which there could be some degree of parental involvement. As noted earlier, the superintendent stated that this was done with the intent of establishing a more effective method of consultation with parents. But whatever the reason, the timing was unfortunate since it could appear to a distrustful public that the Council was dissolved as a means of concealing from the community the contemplated textbook adoptions.

When the new instructional materials were under consideration—particularly considering the nature of these materials—the school system should have solicited in advance a broad base of

community support. A vital preliminary part of the adoption process should have been wide dissemination of the true nature and objectives of the proposed materials in order to ward off in advance the half-truths of extremist attack. A coalition of community support was formed once the conflict erupted, but this coalition was established on its own initiative and not through any effort of the school system.

Further, the school system should have prepared in advance—and it should prepare now—a policy for the handling of challenges or complaints concerning materials selected. Essential to any such policy should be the provisions that—

- the charges be specific and that they be in writing, on a complaint form provided by the school system.

- the complainants be invited to meet with the teachers involved in the selection process (or in whose classrooms the materials are being used) to discuss their concern, that they be requested to read the materials in their entirety, and that the purposes of the questioned materials be explained to them.

- materials will not be banned or withdrawn in response to irresponsible or irrational complaints based on words, sentences, paragraphs, or sections taken out of context of the entire challenged text, series, or other instructional material, without due consideration of the purposes or objectives of the materials.

*There was a failure to respond promptly and effectively to the first challenge.*

When the first complaint about the books was voiced by one member of the Board at its April meeting, the school administration and staff should have been alerted immediately to the likelihood of a sustained challenge. Placing the books on display at the public library was a highly ineffectual means of informing the public of their content and purpose. As soon as the one Board member began to voice criticism, the school administration should have prepared and given broad publicity to a comprehensive response to every objection she made.

During the early summer—after the April motion to adopt the books—the one Board member was traveling about the county to churches and community meetings, garnering support for her campaign to eliminate them from the school system. There was, apparently, no countering effort on the part of the school staff or Board members who supported the materials. Throughout the summer, school administrators, teachers, and supportive Board members should have mounted an aggressive campaign to respond to every criticism and to explain the objectives of the language arts program through all available news media, attendance at church and community meetings, and through special Board meetings in various parts of the county, to invite public comment and involvement.

It must be acknowledged that the conflict might have erupted regardless of what the school system did or did not do to prepare for it; and considering the temper of this community and of this era, there may have been nothing the school system could have done to diminish its intensity. There is a possibility, however, that had positive preparatory or responsive steps been taken at pivotal moments, the public schools of Kanawha County would not have made national headlines in 1974, and the academic freedom of its classrooms would have been preserved.

**Alternatives for the Future**

It is not only the conclusion of this Panel, it is a basic principle of our Constitution that no group has the right to impose its religious value system upon the public schools. Even if there were constitutional or moral sanction for such imposition, who would determine which of all the different theistic belief systems would prevail?

Moreover, the point made earlier in this report bears repetition here: there can be no teaching of literature or history that does not concern itself with philosophical, moral, or political values; and there can be no discussion of such values that may not offend some members of some religious organization or political party—or perhaps cause them to re-examine their own persuasion—at some time. There is no way that this probability can be

evaded. There is neither moral nor constitutional justification for the teaching of religion in the public schools; but there can be no teaching or learning in the public school classroom without the exploration of values, philosophies, ideologies, and religious beliefs. The way in which these matters are handled by the classroom teacher, however, can give the student an appreciation, not only of the student's own belief, but also of other beliefs and cultures:

> The teacher has responsibilities both to his students and to his community in the handling of controversial issues. . . . A topic should be of enough significance or so related to a persistent problem that information acquired about it will be of continuing usefulness. The teacher in guiding discussion of controversial issues must show just consideration for the feelings of all his students. A topic should be within the emotional and intellectual capacities of the class. If the issue clashes with community customs and attitudes, the teacher must be doubly sure that the issue is studies and discussed reasonably. Adequate and appropriate materials for the presentation of all sides must be readily available. There must be sufficient time to develop the topic effectively.[31]

Recognizing that it is not possible for teaching and learning to take place without exposing *some* students to ideas counter to theirs or their parents' religious beliefs does not mean that the schools cannot provide more traditional learning experiences to those who want them.

The NEA Panel believes that it must be within the capability of public education to provide reasonable alternatives to reasonable people and, at the same time, maintain its own integrity and preserve the constitutional separation of church and state.

It was made very clear to the Panel by leaders of the protest that the books were only one of the reasons for their dissatisfaction with the Kanawha County Public Schools. They expressed grave concern with the methods of instruction, the increasing deemphasis on the fundamentals of grammar, reading, and mathematics, with the departure from firmly compartmentalized subjects, and with the general permissiveness of the schools. It would appear that alternatives could be formulated to satisfy these concerns.

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One such alternative might be the arrangement within the same elementary schools of separate classes in which certain basic subjects such as English and mathematics could be taught by traditional methods. The students whose parents prefer for them the more traditional methods of instruction could be separated from their classmates in these subject areas only, and could join the other students in such classes as art and music. The logistics of such an arrangement might present difficulty; and the separation of students for these purposes might increase factionalism among them. Moreover, the provision of such alternatives within the same school would probably only be feasible in areas where there is a fairly even division between the students desiring fundamental instruction and those who prefer more open instructional methods.

In some areas of Kanawha County, however, it may be that the vast majority of parents would prefer to have their children taught by traditional methods within a traditionally-oriented curriculum. In these areas, the Panel, believes, the establishment of public school alternatives might be a reasonable means of meeting the legitimate needs and desires of the communities. Alternative programs have been established in a number of communities for those who desire a more liberal or open style of instruction; and in a few areas, the concept of conservative alternatives also has been proposed or put into practice.*

The proposal of public school alternatives inevitably brings to mind the specter of "separate-but-equal." There is a vast difference, however, between segregation, and the separation of students for purposes of providing alternative instructional methods in schools that have a common educational objective. It is entirely possible that members of many ethnic groups would desire the traditional alternative.

A major disadvantage of the establishment of traditional public school alternatives in Kanawha County would be that it would tend to isolate further the mountain people of the county. If such a proposal is put into effect, therefore, the Panel would urge that the staff members assigned to the alternative schools be individuals

*This reference does not imply endorsement by the Panel of any particular alternative school currently in operation.

from urban as well as rural backgrounds. It is also vitally important that the administration assign to these schools staff members who are highly competent in the more traditional methods of instruction and who possess true sensitivity to the culture of the area in which they teach.

Establishment of the traditional alternatives should be on a pilot project basis and should be regarded as a serious and important experiment, with continuous monitoring to ensure quality instruction that fully meets the state's mandates for public education.*

*Several of the groups and individuals who met with the NEA Panel presented recommendations. The Panel believes that these recommendations should be brought to the attention of Kanawha County citizens and, therefore, includes them as Appendix E of this report.

## APPENDIX A

## NEA RESOLUTIONS

### D-2. Selection of Materials

The National Education Association believes that decisions on which school learning experiences will develop a student's talents are best made by a teacher who knows the learner. Teacher quality depends on freedom to make such decisions. Teachers must select instructional materials without censorship. Challenges of the choice of instructional materials must be orderly and objective, under procedures mutually adopted by professional associations and school boards.

The Association urges it affiliates to seek the removal of laws and regulations which restrict the selection of a diversity of instructional materials or which limit educators in the selection of such materials. (69, 71)

### D-3. Cultural Diversity in Instructional Materials

The National Education Association believes that educational materials should portray our cultural diversity and the contributions of ethnic minority groups. Ethnic minority teachers must be involved in selecting such materials, and in preparing teachers for their use.

The Association recognizes that additional instructional materials chosen for classrooms and libraries may rightfully contain a number of points of view to allow students to become familiar with the attitude and recommendations from various segments of the literary world. The Association also acknowledges that many contemporary texts related to ethnic minority groups do not portray a realistic concept of their life styles but convey a negative self-concept to the ethnic minority students. (69, 72, 73)

## D-4. Academic Freedom

The National Education Association believes that academic and professional freedom is essential to the teaching profession. Controversial issues should be a part of instructional programs when judgment of the professional staff deems the issues appropriate to the curriculum and to the maturity level of the student. Academic freedom is the right of the learner and his teachers to explore, present, and discuss divergent points of view in the quest for knowledge and truth.

Professional freedom includes the teacher's right to evaluate, to criticize, and to advocate his personal point of view concerning the policies and programs of the schools. The teacher also has the right to assist colleagues when their academic or professional freedom is violated. (69)

## APPENDIX B

### LIST OF WITNESSES

The following persons appeared before the Inquiry Panel at the hearings held during the period of December 9-11, 1974 at Charleston, West Virginia:

| | |
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| BEANE, Susan | Textbook Review Committee |
| BERGER, John | Conference for Secondary School English Department Chairmen |
| BICKLEY, Ancella | Director, Curriculum Instruction, West Virginia State College |
| BOWER, Jack E. | Parent |
| BROWN, Jennie | Individual citizen |
| BUMGARDNER, Thomas E. | Chairman, Textbook Review Committee |
| BURGESS, James | Kanawha Elementary Principal's Association |
| BURNS, Rebecca C. | Textbook Selection Committee |
| BYRD, Charlene | Administrative Assistant to the Superintendent, Kanawha County Schools |
| CASDORPH, Jack N. | Kanawha Elementary Principal's Association |
| CLENDENIN, Richard | President, Kanawha County Association of Teachers of English |
| COBB, C. Richard | Parent |

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|---|---|
| COLOMB, Doris | Kanawha Coalition for Quality Education |
| CONLEY, Thelma | Language Arts Consultant, Kanawha County Schools |
| DALTON, Warren | Student |
| DOUGLAS, Donald Gene | President, Kanawha County Schoolmaster's Club |
| ECKSTEIN, Paul, Rev. | Church of Christ |
| ENGLISH, Ronald W., Rev. | First Baptist Church |
| EPLIN, Reba K. | Kanawha Elementary Principal's Association |
| FIKE, Elmer | President, Business and Professional People's Alliance for Better Textbooks |
| FRENCH, Sandy | Student |
| GILLESPIE, Frank | Kanawha County Schoolmaster's Club |
| GRALEY, Carol | Teacher, Christian School |
| GRALEY, Ezra H., Rev. | Concerned Citizens of Kanawha County |
| HAMILTON, Betty | West Virginia Human Rights Commission and Textbook Review Committee |
| HANDLEY, John | Kanawha Elementary Principal's Association |
| HANNA, Wyatt | Student |

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|---|---|
| HARRAH, Lewis, Rev. | United Pentecostal Church |
| HARRISON, Joan | Teacher's Chapter, Business and Professional People's Alliance for Better Textbooks |
| HICKS, Jane | Kanawha Coalition for Quality Education |
| HORAN, Marvin, Rev. | Concerned Citizens of Kanawha County |
| HUDNALL, Scott | Student |
| JOHNSON, Opal E. | Kanawha Elementary Principal's Association |
| KEENEY, Roscoe | President, Kanawha County Association of Classroom Teachers |
| KENNEY, Howard | West Virginia Human Rights Commission |
| KERR, Elaine M. | Textbook Selection Committee |
| KINSOLVING, Matthew M. | President, Kanawha County School Board |
| KITTLE, Robert | Assistant Superintendent, Curriculum Instruction, Kanawha County Schools |
| LEWIS, James, Rev. | Kanawha Coalition for Quality Education and West Virginia Council of Churches |
| LOEB, Charles, Jr. | Student |
| LONESOME, William | President, Charleston Branch, National Association for the Advancement of Colored People |

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|---|---|
| LYONS, Ronald | Kanawha County Schoolmaster's Club |
| MARTIN, Edyth | Director, Program Planning and Program Development, Kanawha County Schools |
| MATTHEWS, Emma Mae | Textbook Selection Committee |
| MAURICE, J. D. | Editor, *Charleston Daily Mail* |
| MILLER, Carolyn F. | Teacher's Chapter, Business and Professional People's Alliance for Better Textbooks |
| MILLER, Ed | Non-Christian American Parents |
| MOORE, Loretta | Parent |
| MOORE, Orville | Kanawha County Schoolmaster's Club |
| MUSICK, Steve | Student |
| McCLANAHAN, Jack C. | Kanawha County Schoolmaster's Club |
| McCUNE, John W. | Director, Group Research, Inc. |
| NELSON, Sophia | Professor of English, West Virginia State College |
| PARSONS, Laura M. | Teacher's Chapter, Business and Professional People's Alliance for Better Textbooks |
| PRICE, John, Rev. | West Virginia Council of Churches |
| PRIEST, Karl C. | Teacher's Chapter, Business and Professional People's Alliance for Better Textbooks |

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|---|---|
| RHULE, Ann | Textbook Selection Committee |
| ROUSH, John | Student |
| RUBENSTEIN, Mary Lou | Kanawha Coalition for Quality Education |
| SCHOOLCRAFT, Cheryl | Student |
| SEAMAN, L. W. | President, Kanawha County Council of Parents and Teachers |
| SNOW, Mary | Kanawha Elementary Principal's Association |
| STANTON, David | Textbook Review Committee |
| STATON, David M. | Textbook Review Committee, Splinter Group |
| STAUP, Cindy | Student |
| THALHEIMER, Helen | Textbook Review Committee |
| THALHEIMER, John | Student |
| THAXTON, Henry, Rev. | Treasurer, Christian American Parents |
| TITUS, Robert E. | Kanawha Coalition for Quality Education |
| UNDERWOOD, Kenneth E. | Superintendent, Kanawha County Schools |
| WALTERS, Ferrell, Rev. | Charleston Ministerial Association |
| WERTZ, D. Frederick, Bishop | United Methodist Church Bishop |
| WHITE, Frank G., Mrs. | Individual citizen |

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| WILSON, Lillian | President, West Virginia Association of College English Teachers |
| WINTERS, Norma | Kanawha County Schoolmaster's Club |
| WOOD, Nelle | Chairperson, Textbook Selection Committee |
| WYLIE, Virginia | Textbook Selection Committee and Kanawha Elementary Principal's Association |

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## APPENDIX C

## M E M O R A N D U M

TO: Kanawha County Inquiry Panel

FROM: NEA Office of General Counsel

You have asked for our opinion of a position advanced by several individuals who oppose the use of the textbooks adopted by the Kanawha County Board of Education. Their argument runs as follows: (a) the teaching of the doctrines of a particular religion in the public schools is unconstitutional; (b) Secular Humanism is a religion; therefore, (c) the use of textbooks which teach Secular Humanism is unconstitutional. While this argument is legally sound, it does not apply to the situation in Kanawaha County.

It is well settled that the Establishment Clause of the First Amendment prohibits public school officials from acting in any substantive way that would serve to "aid one religion, all religions, or prefer one religion over another." *School District of Abington Township* v. *Schempp*, 374 U.S. 203, 216, 83 S.Ct. 1560, 1568 (1963), *citing Everson* v. *Board of Education*, 330 U.S. 1, 15, 67 S.Ct. 504, 511 (1947). An attempt to indoctrinate schoolchildren in the beliefs of a particular religion through the use of textbooks which taught those beliefs would contravene the First Amendment.

The second point of this argument is also correct: the Supreme Court has twice, in footnotes, referred to a religion known as "Secular Humanism". *Torcaso* v. *Watkins*, 367 U.S. 488, 495 n.11, 81 S.Ct. 1680, 1684 n.11 (1961) and *Welsh* v. U.S., 398 U.S. 333, 357 n.8, 90 S.Ct. 1792, 1805 n.8 (1970) (concurring opinion).

The crucial question remains whether the textbooks in controversy do in fact teach the religion of Secular Humanism. It has been asserted that some of the textbooks adopt a "humanistic" approach to education and thereby evidence a religious purpose.

cooperating public schools and shall include (1) the minimum qualifications for the employment of public school teachers selected as supervising teachers; (2) the remuneration to be paid public school teachers by the state board, in addition to their contractual salaries, for supervising student teachers; and (3) minimum standards to guarantee adequacy of facilities and program of the public school selected for student teaching. The student teacher, under the direction and supervision of the supervising teacher, shall exercise the authority of a substitute teacher.

Institutions of higher education approved for teacher preparation may cooperate with each other and with one or more county boards of education in the organization and operation of centers to provide selected phases of the teacher preparation program such as student teaching or internship programs, instruction in methodology, seminar programs for college students, first year teachers and supervising teachers.

Such institutions of higher education and participating county boards of education may budget and expend funds for the operation of such centers through payments to the appropriate fiscal office of the county designated by mutual agreement of participating county school boards and higher education institutions to serve as the administering agency of the center.

The provisions of this section shall not be construed to require the discontinuation of an existing student teacher training center or school which meets the standards of the state board of education.

The state board of education shall make rules and regulations for the accreditation, classification and standardization of all schools in the state, except institutions of higher education, and shall determine the minimum standards for the granting of diplomas and other certificates of proficiency, except those conferred or granted by institutions of higher education. No institution of less than collegiate or university status may grant any diploma or or other certificate of proficiency on any basis of work or merit below the minimum standards prescribed by the state board of education. *Such minimum standards shall include not less than six hours of work in multicultural education with no grades*

[12]Board of Education of Kanawha County, Minutes of Meeting, June 27, 1974.

[13]Board of Education of Kanawha County, Minutes of Meeting, June 27, 1974.

[14]Board of Education of Kanawha County, Minutes of Meeting, October 10, 1974.

[15]Board of Education of Kanawha County, Minutes of Meeting, November 8, 1974.

[16]*Charleston Daily Mail,* "Then It Happened! Mob Attack at Board Office Detailed." Charleston, West Virginia, December 13, 1974.

[17]Michael, Kay. "Stress Progress, Protesters Told." *Sunday Gazette-Mail.* Charleston, West Virginia, December 15, 1974.

[18]Mathews, John. "Kanawha Valley Book War Shakes Up Teachers." *Washington Star-News,* Washington, D.C., December 12, 1974, p. A-14.

[19]Board of Education of Kanawha County. Minutes of Meeting, November 21, 1974.

[20]State of West Virginia Human Rights Commission, Statement to Superintendent and Board of Education, Kanawha County Public Schools, June 26, 1974.

[21]West Virginia Advisory Committee to the U.S. Commission on Civil Rights, Statement Concerning the Kanawha County Textbook Controversy, November 15, 1974.

[22]U.S. Bureau of the Census, *City and County Data Book,* 1972. U.S. Government Printing Office, Washington, D.C.

[23]Swan, Neil, "Klan to Probe Textbooks as Part of Communist Plot." *The Atlanta Journal,* Atlanta, Georgia. December 30, 1974.

[24]National Education Association, *Suggestions for Defense Against Extremist Attack:* Sex Education in the Public Schools. The Association: Washington, D.C. 1969. pp. 7, 9.

One need be neither a legal nor a religious scholar, however, to appreciate that humanistic education does not involve the teaching of the tenets of a religion known as "Secular Humanism". We see no evidence in the textbooks of an attempt to proselytize students in any way. A similarity between the names of an educational philosophy and a religion is certainly insufficient, standing alone, to render unconstitutional the use of materials which might have been developed in accordance with that philosophy.

Accordingly, use of the textbooks does not violate the Establishment Clause of the First Amendment. The argument noted above fails when applied to the Kanawha County situation, in the absence of a demonstrated connection between humanistic education—assuming that to be the orientation of the textbooks—and an alleged attempt to indoctrinate students in the beliefs of the religion of Secular Humanism.

## APPENDIX D

### SENATE BILL NO. 533

*(By Mr. Hamilton and Mr. Nelson)*
*(Introduced February 18, 1974; referred to the Committee on Education.)*

A BILL to amend and reenact sections six and nine, article two, chapter eighteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the requirement of multicultural education courses for accreditation of teachers and teaching of multicultural education in public schools.

*Be it enacted by the Legislature of West Virginia:*

That sections six and nine, article two, chapter eighteen of the code of West Virginia one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

### ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-6. *Training of teachers; accreditation, classification and standardization of schools; standards for degrees and diplomas.*

The education of teachers in the state shall be under the general direction and control of the state board of education, which shall, through the state superintendent of schools, exercise supervisory control over teacher preparation programs in all institutions of higher education, including student teaching in the public schools, in accordance with standards for program approval stated in writing by the board. To give prospective teachers the teaching experience needed to demonstrate competence, as a prerequisite to licensure, the state board of education may enter into an agreement with county boards of education for the use of the public schools. Such agreement shall recognize student teaching as a joint responsibility of the teacher preparation institution and the

*earned less than "C." As used in this section, multicultural education means:*

*(a) Formal course of study offered by units of higher education and pertaining to specific academic disciplines such as history, literature, social studies, and the arts, and which are developed with the advice and assistance of minority professionals.*

*(b) In-service training pertaining to specific academic disciplines such as history, literature, social studies, and the arts which are developed by the superintendents of public instruction with the advice and assistance of minority professionals, and*

*(c) Formal courses of study and in-service training designed to help teachers, para-professionals, and support personnel to understand and relate to students who come from a diversity of cultural backgrounds, to include the poor; these courses to handle subject matter relating to the effect of diverse cultural backgrounds on the learning processes of children, the attitudes of teachers, and on intercultural and intergroup understanding.* All institutions of higher education approved for teacher preparation in the school year of nineteen hundred sixty-two–sixty-three shall continue to hold that distinction so long as they measure up to the minimum standards for teacher preparation. Nothing contained herein shall infringe upon the rights granted to any institution by charter given according to law previous to the adoption of this code.

No charter or other instrument containing the right to issue diplomas or other certificates of proficiency shall be granted by the state of West Virginia to any institution or other associations or organizations of less than collegiate or university status within the state until the condition of granting or issuing such diplomas or other certificates of proficiency has first been approved in writing by the state board of education.

§18-2-9. *Required courses of instruction; violation and penalty.*

In all public, private, parochial and denominational schools located within this state there shall be given prior to the completion

of the eighth grade at least one year of instruction in the history of the state of West Virginia. Such schools shall also give regular courses of instruction in history of the United States, in civics, and in the constitutions of the United States and of the state of West Virginia, for the purpose of teaching, fostering and perpetuating the ideals, principles and spirit of Americanism, and increasing the knowledge of the organization and machinery of the government of the United States and of the state of West Virginia. The state board of education shall, with the advice of the state superintendent of schools, prescribe the courses of study covering these subjects for the public elementary and grammar schools, public high schools and state normal schools. It shall be the duty of the officials or boards having authority over the respective private, parochial and denominational schools to prescribe courses of study for the schools under their control and supervision similar to those required for the public schools.

The state board of education shall cause to be taught in all of the public schools of this state *multicultural education in grades one through twelve on a continuing basis and* the subject of scientific temperance, including the nature of alcoholic drinks and narcotics, with special instruction as to the effect upon the human system and upon society in general. The textbooks *and other literature* on the subjects of health and hygiene, biology and the social sciences, adopted for use in the public schools of the state, shall contain appropriate material for such teaching.

Any person violating the provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not exceeding ten dollars for each violation, and each week during which there is a violation shall constitute a separate offense. If the person so convicted occupy a position in connection with the public schools, he shall also automatically be removed from such position, and shall be ineligible for reappointment to that or a similar position for the period of one year.

NOTE: The purpose of this bill is to require teachers to have at least six hours of work in multicultural education and to require that multicultural education be taught in grades one through twelve.

## APPENDIX E

The following recommendations were submitted to the Inquiry Panel by Elmer Fike, Business and Professional People's Alliance for Better Textbooks:

### PLAN OF ACTION

1. Support the present legal action Williams vs. School Board, which is protesting against the textbooks as the basis of anti-religious bias under the First Amendment.

2. Initiate court action to contest the legality of using two systems of instruction based on different cultural content. The courts have ruled that such an approach will inevitably result in discrimination against one group or the other and have rejected similar arrangements.

3. Encourage the proposal of Senator Si Galperin, calling for a practical recall procedure so that a petition for a recall of board members will be practical.

4. Take legal action to protect those persons who are discriminated against by their employers because of their participation in the anti-textbook protest.

5. Take other legal action as may become necessary to guarantee the removal of morally reprehensive instructional materials and methods from Kanawha County Schools.

The following recommendations were submitted to the Inquiry Panel by Doris Colomb, Kanawha Coalition for Quality Education:

### WHERE DO WE GO FROM HERE?

Certain steps must be taken to strengthen the system of education and to keep such violent confrontation from erupting again.

1. The whole system of School Board selection, size, term, and mode of operation must be changed. Changes would incorporate:

   A. An increase of Board members beyond the present number of five to insure more community input.

   B. A shortening of the term for elected members thus making them more responsive to the electorate.

   C. A way for students to be added to the Board thus assuring that students have some say in the determination of their education.

   D. A restructuring of the Board so that they can be more involved in the matters which they are called upon to vote. An organizational study should be done of the Board by an outside consultant firm so that they might function more efficiently and responsibly.

   E. The Public Relations part of the Board of Education must become more aggressive and innovative in getting materials and programs out to the people and not waiting for the people to come to them.

2. A new cooperation must take place between teachers and parents in the process of education. The Coalition is presently developing a model of parent-teacher coordination in the selection of textbooks and other matters relevant to education. When completed, a copy of this model will be forwarded to the NEA.

3. The parents must become more involved either through newly formed or reformed P.T.A.'s or through the creation of Parent Advisory Groups. Seeking help from an outside agency like the National Committee for Citizens in Education in order to assist us in helping devise a workable plan of parental involvement is vital.

4. Churches and civic groups must take an active part now in helping reconcile the differences that exist in our community, county and city. Church polarization, economic division, the separation of people and philosophies must be bridged by human contact.

The following recommendations were submitted to the Inquiry Panel by John Berger, Conference for Secondary School English Department Chairmen:

1. We suggest you ask the Board for *time* for teachers to talk to parents; not to make it just an extra assignment, but to give them time to join community clubs and to meet frequently with parents and other community members.

2. We ask you to recommend that the authority and responsibilities of individual teachers to select their own materials to implement department, school and district philosophies be *increased.*

3. We suggest that departments in each school develop philosophies which are open for public review and in which each teacher has had time to help develop and which each teacher is able to explain to the parents and students how the materials he is using fulfill the departmental philosophy and complement the district philosophy. In short, each teacher and each student should be able to explain how he *connects* to the larger pattern.

4. We recommend that each English teacher be given the resources to begin working toward the NCTE goal of having 500 diverse titles in each classroom where English is taught.

5. We suggest that all teachers, but especially those in English and Social Science, be trained in public relations and parent education so they are prepared to explain the limitations of the traditional approaches to schooling, the limitations and abuses of standardized tests, the need for curricular change and growth, and the process of handling change in the community. We also suggest all inservice training sessions for teachers be attended by interested parents and students.

6. We suggest for the year preceding a textbook adoption, the year of adoption, and year of implementation, the adopting department circulate a newsletter in the community and hold frequent meetings with department teachers, district personnel, college teachers, parents, students, and teachers from

feeder schools to explain the adoption practices—the reasons certain texts are considered and selected and to let the community help recommend and evaluate the selections. Again, it is essential that this procedure not be just assigned or requested by the administration as an extra duty for the teachers; if these suggestions are adopted they must be supported with time and financial resources.

7. We suggest that student representatives participate in all district committees including the School Board.

8. We suggest the Board establish time and financial resources for each Language Arts Department to develop a self-evaluation of its current program and to determine the progress of its graduates and that such self-evaluations be conducted a minimum of every two years and be published in the community.

9. And we suggest the Board purchase ample copies of the *Right to Read* brochure and distribute them throughout the County.

## FOOTNOTES

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[3]Simpkins, O. Norman. "An Informal, Incomplete Introduction to Appalachian Culture and How It Got That Way." Adapted from Dr. Simpkins' address at the Huntington Galleries, Mountain Heritage Week, June 1972.

[4]Crickard, Betty P. *Cultural Values Influencing Educational Programming in West Virginia* (quoting Jones, *Appalachian Values*, pp. 110-111.) Second Annual Mountain Heritage In-Service Training Workshop, November 1974, West Virginia State Department of Education, West Virginia University Extension Service, West Virginia Arts and Humanities Committee.

[5]Weller, Jack E. *Yesterday's People*, University of Kentucky Press, 1965, p. 14.

[6]*Ibid*, p. 14.

[7]Caudill, Harry M. *Night Comes to the Cumberlands, A Biography of a Depressed Area.* Boston: Little, Brown & Co., 1962, 1973, p. 326.

[8]Nelson, Jack, and Roberts, Gene, Jr. *The Censors and the Schools.* Boston: Little, Brown & Company, 1973. p. 49.

[9]Lewis, Florence. *"Letter From an Angry Teacher." Phi Delta Kappan.* December 1974. p. 300.

[10]Statement to the NEA Panel by Ms. Nelle Wood, Chairperson, English Language Arts Textbook Selection Committee, Kanawha County Public Schools.

[11]*The Charleston Daily Mail*, "Textbook Tapes Sell For $1.50," Charleston, West Virginia, June 19, 1974.

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[26]*School District of Abington Township, Pennsylvania* v. *Schempp* and *Murray* v. *Curlett*, 374 U.S. 203, 300 (1963) (concurring opinion).

[27]Nelson and Roberts, *op cit.* p. 156.

[28]Brant, Irving. *The Bill of Rights, Its Origin and Meaning.* The Bobbs-Merrill Company, Inc., Indianapolis, Indiana. 1965. p. 40.

[29]Brant, Irving. *op cit.* p. 504.

[30]Berkson, I. B., *Ethics, Politics, and Education.* University of Oregon, Eugene, Oregon. 1968. p. 273

[31]National Education Association. *Freedom to Teach: Freedom to Learn.* The Association: Washington, D.C., 1966.